

Exhibit 38



THOMAS A. CLARE, P.C.

CLARE LOCKE

LLP

MEGAN L. MEIER

December 23, 2020

Via Email

Mike Lindell
Founder and CEO
My Pillow Shop
Email: mlindell@mypillow.com

Re: Notice of Obligation to Preserve Documents Related to Dominion

Dear Mr. Lindell:

Our law firm is defamation counsel to US Dominion Inc.¹ We write regarding your patently false accusations that Dominion has somehow rigged or otherwise improperly influenced the recent U.S. presidential election. Despite knowing your implausible attacks against Dominion have no basis in reality, you have participated in the vast and concerted misinformation campaign to slander Dominion.

Last week we sent letters to Sidney Powell and various media entities, demanding retraction of their myriad false and conspiratorial claims about Dominion. Recently, you have positioned yourself as a prominent leader of the ongoing misinformation campaign. Accordingly, Dominion formally demands that you (1) cease and desist making defamatory claims against Dominion² and (2) preserve and retain all documents relating to Dominion and your smear campaign against the company.

Litigation regarding these issues is imminent. With this letter you are on notice of your ongoing obligations to preserve documents related to Dominion's claims for defamation based on allegations that the company acted improperly during the November 2020 presidential election and somehow rigged the election in favor of President-Elect Joe Biden. Accordingly, you must ensure that you and your principals, your agents, your subcontractors, any agents or employees under your supervision, and all sources of information upon which you relied are preserving and retaining all emails, text messages (including messages sent over messaging platforms such as WhatsApp), audiovisual recordings, voice mails, drafts, notes, communications, documents, data, and electronically stored information of any kind that relate in any way to these matters. Without any

¹ We also represent and write on behalf of its subsidiaries, Dominion Voting Systems, Inc. and Dominion Voting Systems Corporation (collectively, "Dominion").

² For the avoidance of all doubt, this is a retraction demand pursuant to relevant state statutes and applicable rules of court.



limitation, this requires you to preserve all research and due diligence you conducted or instructed others to conduct relating to your allegations of alleged voting improprieties and all research and due diligence you conducted or instructed others to conduct relating to any of your public statements regarding Dominion.

In addition, you must preserve, without limitation, all communications with:

- Any member, volunteer, staff, or employee of the Trump campaign;
- Sidney Powell, Rudy Giuliani, Jenna Ellis, L. Lin Wood, and each of their partners, associates, and paralegals;
- Every individual who assisted you in researching or conducting due diligence on any claim you have made related to Dominion or the November 2020 presidential election;
- Every reporter, editor, blogger, host, or other member of the media with whom you communicated about Dominion or the November 2020 presidential election, regardless of whether they published any of your claims; and
- Every individual who has compensated you or any related entity in any manner for making public statements about, undertaking any other related actions related to, Dominion and/or the November 2020 presidential election.

The laws and rules prohibiting destruction of evidence apply to electronically stored information in the same manner that they apply to other evidence. Due to its format, electronic information is easily deleted, modified, or corrupted. Accordingly, you must take every reasonable step to preserve this information until this matter is resolved. This may include, but would not be limited to, an obligation to discontinue all data destruction and backup data recycling policies and procedures on any and all devices within your possession, custody, or control. Your obligation to preserve documents applies both to you individually, and to any entities that you control.



Confirm receipt of this letter and that you intend to adhere to our request to retain documents as set forth above. This is not a complete recitation of Dominion's rights and remedies, all of which are expressly reserved.

We look forward to your prompt response.

Regards,

A handwritten signature in blue ink that reads "Thomas A. Clare, P.C." with a horizontal line above the first name.

Thomas. A. Clare, P.C.

A handwritten signature in blue ink that reads "Megan L. Meier" in a cursive style.

Megan L. Meier



THOMAS A. CLARE, P.C.

CLARE LOCKE
LLP

MEGAN L. MEIER

January 8, 2021

Via Email

Mike Lindell
mlindell@mypillow.com

Re: Your False and Defamatory Claims Concerning Dominion

Mr. Lindell:

We write again on behalf of US Dominion Inc. to supplement our December 22, 2020 demand for retraction.¹

In the past several weeks you have falsely accused Dominion of fraud and stealing “millions of votes.” And on December 21, 2020, you appeared with Sebastian Gorka on “Greg Kelly Reports” to peddle defamatory falsehoods about Dominion. When discussing the outcome of the November 2020 election, you made the demonstrably false claim that “The biggest fraud is the Dominion machines.”

Your smear campaign against Dominion has been relentless, and you have leveraged your significant social media following to inflict the maximum amount of damage to Dominion’s good name and business operations. On numerous occasions you quote-tweeted facially unreliable and discredited falsehoods about Dominion while giving empty assurances that you would come forward with overwhelming proof of the company’s wrongdoing.



¹ We also represent and write on behalf of its subsidiaries, Dominion Voting Systems, Inc. and Dominion Voting Systems Corporation (collectively, “Dominion”).



These are just a few examples of tweets you have published that contain demonstrably false misrepresentations about Dominion and its involvement in the November 2020 election. Despite your repeated promises—not to mention your considerable and costly efforts to bankroll a so-called investigation into Dominion—you have failed to identify a scintilla of credible evidence that even *suggests* that Dominion is somehow involved in a global conspiracy to harvest millions of votes in

favor of President-elect Biden. Of course, this is because no such evidence exists. But that is of no consequence to you because you are resolutely uninterested in acknowledging the truth about these issues.

Despite your claims to the contrary, Dominion has no role in any sort of “deep-state conspiracy” to steal votes and take control of the outcome of the recent presidential election. And to avoid doubt, neither Dominion nor its software was created in Venezuela to rig elections for Hugo Chavez; Dominion never bribed Georgia’s governor or secretary of state to obtain a no-bid contract; and Dominion did not manipulate votes or try to destroy any evidence at any time.

Ample documents in the public record conclusively disprove the damaging falsehoods that you continue to peddle. For example:

- Maricopa County Board of Supervisors Chairman Clint Hickman, a Republican, stated there is “no evidence of fraud or misconduct.”²
- Arizona Secretary of State Katie Hobbs underscored these facts, explaining, “I cannot overstate how these pervasive, vague, and unsupported claims of election misconduct are undermining the foundation of our democracy. **Facts matter** in a court of law, and the facts remain that this historic election had tremendous turnout and was both secure and accurate.”³
- Every single vote can be audited with hand counts. Maricopa County's post-election hand count audit showed a 100% match with the counts from Dominion machines. And all Dominion machines underwent certification and logic and accuracy testing before the election, as mandated under Arizona Revised Statutes (A.R.S.) § 16-449.
- Gabriel Sterling, Georgia's Voting System Implementation Manager said, “I can guarantee that this is the most secure election in the state of Georgia.”⁴
- Secretary of State Raffensperger has explained that there is no basis to claims that Dominion rigged the election, describing in detail Georgia officials’ “hand re-tally, 100 percent re-tally

² Republican Maricopa County chairman says 'no evidence of fraud or misconduct' in presidential election, 12 News, (Nov. 17, 2020), available at www.wqad.com/article/news/politics/elections/maricopa-county-chairman-says-no-evidence-of-fraud-or-misconduct-in-presidential-election/75-6aba1803-850a-460f-8f86-b185a41f4708.

³ Secretary Hobbs’s December 4, 2020 statement regarding false allegations against Dominion is available at <https://twitter.com/SecretaryHobbs/status/1335011027243524096?s=20>.

⁴ Georgia Sec of State Office holds press conference, News Channel Six, (Nov. 30, 2020), available at <https://www.wjbf.com/news/georgia-news/live-georgia-sec-of-state-office-holds-press-conference/>.

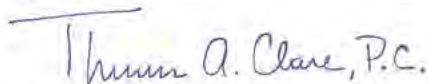
of the ballots,” and confirming that the results from those audits validate the integrity of Dominion’s machines and software.⁵

With this letter, Dominion renews its demand that you retract your defamatory accusations immediately and issue a public apology for damaging Dominion’s reputation with completely fabricated claims of fraud and corruption. Dominion has been forced to expend substantial monetary sums to protect the health and safety of its employees following innumerable death threats from the social media mob that your statements have agitated against Dominion. And your misrepresentations have required the company to incur substantial attorneys’ fees and to mitigate the damage you have inflicted upon Dominion’s reputation.

Our last letter informed you that Dominion was prepared to initiate legal action to set the record straight and vindicate its reputation. This morning Dominion filed a defamation lawsuit against Sidney Powell. We are sending you hardcopies of the complaint⁶ and exhibits under separate cover so that there is absolutely no doubt at a future date about what was known to you at this juncture.

Conduct yourself accordingly.

Regards,




Thomas A. Clare, P.C.



Megan L. Meier

⁵ Here’s the full transcript and audio of the call between Trump and Raffensperger, Washington Post, (Jan. 3, 2021), available at, https://www.washingtonpost.com/politics/trump-raffensperger-call-transcript-georgia-vote/2021/01/03/2768e0cc-4ddd-11eb-83e3-322644d82356_story.html.

⁶ Read Dominion Voting System’s complaint against lawyer Sidney Powell here: https://www.washingtonpost.com/context/read-dominion-voting-systems-complaint-against-lawyer-sidney-powell/645e6826-ff2f-45c0-9b23-d2597f4dbb5e/?itid=lk_interstitial_manual_5.



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ELECTIONS

Republican Maricopa County chairman says 'no evidence of fraud or misconduct' in presidential election

Clint Hickman, a Republican, says there is no evidence of voter fraud, misconduct or equipment malfunction even with over 2 million ballots tallied.



Credit: AP

Voters stand in line outside a polling station, on Election Day, Tuesday, Nov. 3, 2020, in Mesa, Ariz. (AP Photo/Matt York)

Author: 12 News

Published: 6:47 PM CST November 17, 2020

Updated: 7:36 PM CST November 17, 2020



PHOENIX — The chairman of the Maricopa County Board of Supervisors rebuffed claims of voter fraud in the presidential election in Arizona, arguing "the evidence overwhelmingly shows" the results were accurate.

Clint Hickman, a Republican, says there is no evidence of voter fraud, misconduct or equipment malfunction even with over 2 million ballots tallied.

President Donald Trump continues to irately claim the election was fraudulent, but his administration has not produced credible supporting evidence.

One of the targets of Trump's false claims is the use of Dominion voting equipment, but Hickman rejected those accusations as well.

"The Dominion tabulation equipment was vetted by a bipartisan, 'Equipment Certification Advisory Committee' before the contract was finalized," he said.

RELATED: [Trump campaign drops lawsuit in Arizona after Joe Biden's lead cannot be overcome](#)

RELATED: [Maricopa County will certify election results despite Republican requests to recount all 2 million ballots](#)

"[The] equipment met mandatory requirements during logic and accuracy testing before the Presidential Preference Election, the Primary Election and the General Election."

Hickman noted that fewer than 200 overvotes in the presidential race were found out of 167,000 ballots cast on Election Day.

"It is time to dial back the rhetoric, rumors, and false claims," Hickman said. "No matter how you voted, this election was administered with integrity, transparency and in accordance with state laws."

President-elect Joe Biden won Arizona by a margin of over 10,000 ballots. It's the first time the state has voted for a Democrat in a presidential race since 1996.

Arizona Politics

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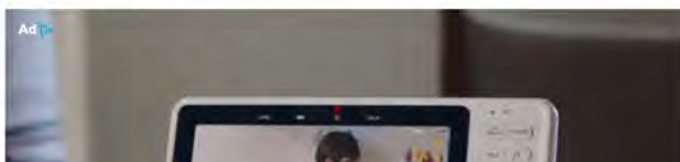


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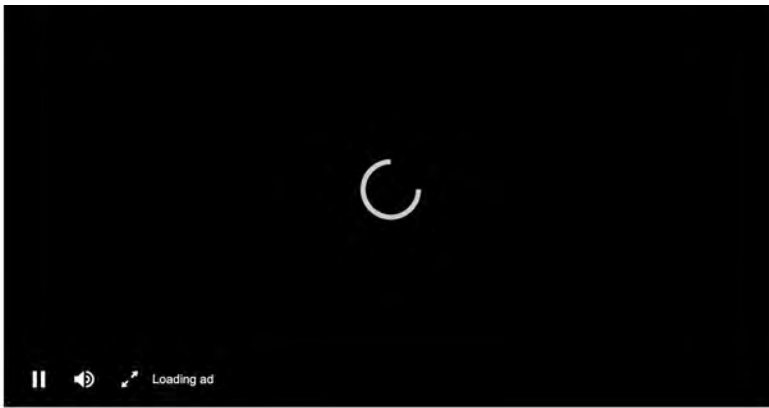
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POLITICS

Former Scott County GOP chair forced out, says he still stands by his party

Dave Millage was forced to resign as the head of the Scott County Republicans after commenting in favor of President Trump's impeachment on Jan. 6.



Author: Shelby Kluver (WQAD)
 Published: 7:05 PM CST February 8, 2021
 Updated: 7:05 PM CST February 8, 2021



BETTENDORF, Iowa — David Millage says he was appalled, watching rioters storm the US Capitol last month.

After watching the news roll in all afternoon, he got a call from a Quad City Times reporter that evening, and gave his opinion on the events he was watching unfold in Washington.

"That's when I said he oughta be impeached. And I stand by what I said," says Millage. "The more I read about it, the more his conduct is indefensible, and he should be convicted and never allowed to hold office again."

He says the quote was printed online, instantly. And then the calls, texts, and emails, came flooding in instantly too. Millage says they were from people he knew and respected - many that he had spent hours working with, to get Republicans elected.

None, he says, were contacting him to have a discussion.

"They'd already made up their minds. I was called names, I was called a traitor, I was called narcissistic, I was only looking out for myself. How they could come up with that, I don't know. And narcissistic... how does that make me narcissistic that I criticized something that should be criticized, in my view," questioned Millage.

At first he says people were asking for him to put out a qualifying statement. But eventually, calls started coming for his resignation. Within 24 hours of making his statement to the paper, Millage stepped down as chairman of the Scott County Republicans.

Now a month later, the long-time politician and conservative activist stands by what he said that night, and by the party that ousted him.

Growing up in Bettendorf, Millage says he was always invested in politics. He even remembers watching the 1964 Republican and Democrat Conventions.

At first he says people were asking for him to put out a qualifying statement. But eventually, calls started coming for his resignation. Within 24 hours of making his statement to the paper, Millage stepped down as chairman of the Scott County Republicans.

Now a month later, the long-time politician and conservative activist stands by what he said that night, and by the party that ousted him.

Growing up in Bettendorf, Millage says he was always invested in politics. He even remembers watching the 1964 Republican and Democrat Conventions.

"I wanted to make a difference," he said. "And I think everybody should be engaged, civically, in some manner."

But he says he wasn't always a member of the GOP. It wasn't until going to college at the University of Iowa that he began to align with conservative values. Since then, he says, he's never looked back.

balance Iowa's budget, cut income taxes, put money into education and create legislation to better protect minors who had been sexually abused, during their court testimonies.

Soon after retiring from the state, he was approached by the Scott County Republicans.



"The party came to me two years ago - I didn't come to the party - and said they wanted me to run for the chairman," he remembers. "It was not something I was planning to do, but they told me they needed a leader and they thought I had the qualities."

"The party came to me two years ago - I didn't come to the party - and said they wanted me to run for the chairman," he remembers. "It was not something I was planning to do, but they told me they needed a leader and they thought I had the qualities."

As chairman, Millage was heavily involved in gathering and leading volunteers for a variety of state and local elections. But even though he enjoyed his work, he had only planned on serving one term. In fact, he joked that his wife was trying to move to Florida after he stepped down, so he couldn't run again.

When he sent in his resignation in January, it was only a month short of when he was planning on vacating his position. He says the only reason he didn't wait it out was because so many people within the organization wanted to see him gone.

"I said if you want it, you got it," he quipped.

A two-time Trump voter, Millage says he watched and listened to the former president's rhetoric over the past four years and was, at times, troubled by it. But he says he was just as confident in his 2020 vote as he was back in 2016.

"Trump's behavior has been troublesome and almost, at times, indefensible, but it had nothing to do with policy," he said. "Belittling remarks he made reflect poorly upon him as a person, but they don't effect the policies that he was pursuing. And as long as he was pursuing the correct policies, I could overlook the rhetoric."

When Trump's first impeachment trial happened at the start of 2020, Millage says he thought it was bogus, and saw no signs of a quid pro quo. Instead, he felt the Democrats rushed through the proceedings.

This time around, he still feels as though the trial was too rushed, but he does think the former president should be impeached.

RELATED: [Trump impeachment trial confronts memories of Capitol siege](#)

"The worst thing he did, that I didn't know that night, was doing nothing. Letting the riots ensue. Sat in his home and wouldn't take any phone calls," said Millage. "I mean, what a dereliction of duty. And he's commander in chief! If he would have done that in the military, he would have been court marshalled."

He says the real impeachable offense was Trump's undermining of an American election, and cited the instances where the president called upon elected officials to "find ballots."

However, he says many local Republicans were angry at his statements because of the position he carried, as the party leader.

"Party leaders should not criticize the party," he said. "I was not criticizing the party, I was criticizing Donald Trump."

But Millage doesn't think his experience reflects upon the larger portion of the republican base. To him, it just shows Trump's strong following within Scott County, and hopes that an evolution will take place before the 2024 election, where his party can unite on policies rather than individual political figures.

"I'm still a republican. I think it's still important that I remain a republican and help to chart a new course for the party for the next several years," he said.

Millage says the only viable option to the Democrats are the Republicans, and pointed out many liberal policies that he's staunchly against, including what he called the "budget fiasco."

"I still believe in the Republican principles. And that's what I would say to all the people who support President Trump. We still all believe in the same things - we believe in limited government, we believe in fiscal and monetary responsibility, although we haven't been acting that way lately, we all believe in the protection of gun rights, we all believe that the unborn should be protected and we all believe in conservative judges. The Republican party has not changed since the time before Trump, nor has it changed today because of Trump. All the principles of the party were there before Trump came along and they're there now."



Now looking forward, Millage says he'll watch the Senate's impeachment trial, although he joked that he would not go out of his way to do so. And he plans on being at the caucuses as a proud Republican from Bettendorf.


He's confident that this moment, where it seems as though two factions of the party are warring for power, will pass if the base can recognize that they're stronger together.

"We've got to hang together. The people who support Trump need to hang with those of us who don't support Trump. He's an individual, he's not the part. He's not the principles of the party," said Millage. "We have principles to fight for, policies to fight for, and we're not gonna be successful separate. We've gotta be together, we've gotta be united."


The Scott County GOP did not respond to a request for comment.

RELATED: [Trump's historic second impeachment trial begins this week](#)


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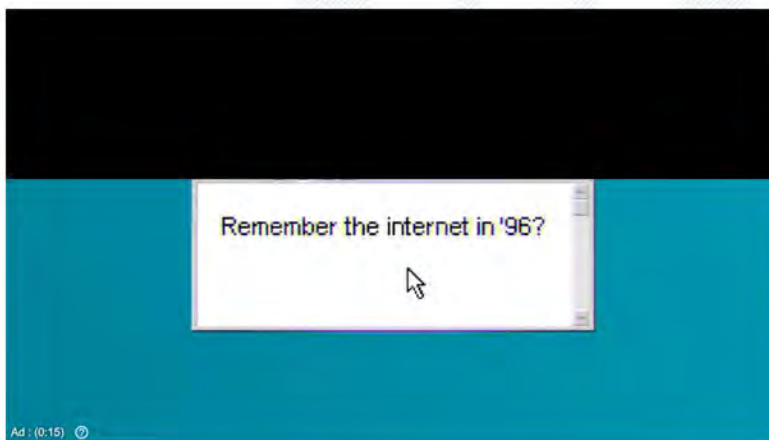
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POLITICS

Iowa Democrat claims Republicans are 'ignoring the pandemic'

State Rep. Todd Prichard discussed the coronavirus Thursday, February 4th.



Remember the internet in '96?

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Author: Jonathan Ketz
Published: 11:53 AM CST February 5, 2021
Updated: 1:18 PM CST February 5, 2021




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IOWA, USA — Iowa Democrats are putting forth their own agenda in trying to help people through the pandemic.

State Representative Todd Prichard, a Democrat from Charles City, east of Mason City, says the response to the pandemic has not been a priority so far.

"I'm just kind of beside myself," he said Thursday, February 4th. "Democrats are going to continue to call for a COVID response package that deals with getting the vaccine rolled out."



Prichard was also upset about a bill filed by Iowa Republican State Representative Josh Shipley of Fairfield Iowa, in-between Mt Pleasant and Ottumwa, that relates to vitamin and mineral deficiency and a public awareness program for it.



"This is ridiculous. This is insulting, and it's hurting Iowans by just simply ignoring this pandemic," he said.

Thursday, Governor Kim Reynolds announced the state is partnering with the state's Area Agency on Aging to help seniors sign up to receive their COVID-19 vaccine. The state's working on a centralized vaccine registration and referral system to make scheduling an appointment easier for all those who qualify.

Friday, February 5th, a spokesman for Governor Kim Reynolds says she too is frustrated with the lack of supply the state's gotten when it comes to the vaccine. State leaders have reallocated unused vaccine from the federal government's pharmacy program, saying more than 30,000 doses have become available to Iowans 65 and older because of it.

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LOOK HERE: Where to find COVID-19 vaccine locations, pharmacy information

Iowa Gov. Reynolds addresses slow vaccine distribution in COVID-19 press conference

Vaccine allocation for age 65+ coming to select Iowa Walgreens and CVS

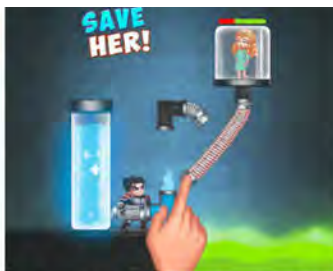
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These Twins Were Named "Most Beautiful"

State Rep. Todd Prichard discussed the coronavirus Thursday, February 4th.



Author: Jonathan Ketz
Published: 11:53 AM CST February 5, 2021



Exhibit 2



Secretary Katie Hobbs @SecretaryHobbs · Dec 4, 2020

The allegations in this case were baseless, and I had faith the court would continue to do the right thing. Today's ruling affirms that faith. As we argued in court, it is time for this to stop. 1/2

erroneous count of votes" the candidate certified as the winner "did not in fact receive the highest number of votes." Plaintiff has not proven that the Biden/Harris ticket did not receive the highest number of votes.

6. Orders.

Based on the foregoing,

IT IS ORDERED denying the relief requested in the Petition.

IT IS FURTHER ORDERED denying the request to continue the hearing and permit additional inspection of ballots.

IT IS FURTHER ORDERED, as required by A.R.S. § 16-676(B), confirming the election.

IT IS FURTHER ORDERED that any request for costs and/or attorneys' fees be filed, and a form of final judgment be lodged, no later than January 5, 2020. If none of these is filed or lodged, the Court will issue a minute entry with Rule 54(c) language dismissing all remaining claims.

The Court finds no just reason for delay and enters this partial final judgment under Ariz. R. Civ. P. 54(b). The Court makes this finding for purposes of permitting an immediate appeal to

1K

544

3K



Secretary Katie Hobbs @SecretaryHobbs · Dec 4, 2020

I cannot overstate how these pervasive, vague, & unsupported claims of election misconduct are undermining the foundation of our democracy. Facts matter in a court of law, & the facts remain that this historic election had tremendous turnout and was both secure and accurate. 2/2

694

278

1.6K



Replies

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2020-015285

12/04/2020

5. The Evidence Does Not Show An Erroneous Vote Count.

A.R.S. § 16-672(A)(5) permits an election contest on the ground that, “by reason of erroneous count of votes” the candidate certified as the winner “did not in fact receive the highest number of votes.” Plaintiff has not proven that the Biden/Harris ticket did not receive the highest number of votes.

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/ s / RANDALL H. WARNER

JUDGE OF THE SUPERIOR COURT

Exhibit 4

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Politics

Here's the full transcript and audio of the call between Trump and Raffensperger

Audio: Trump's full Jan. 2 call with Ga. secretary of state



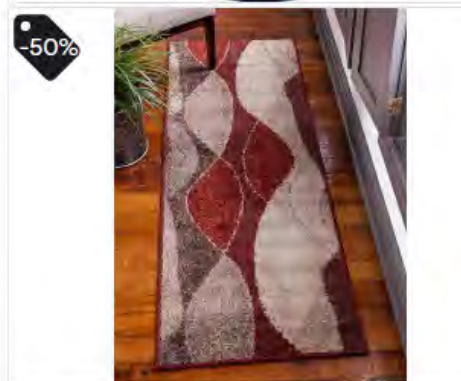
Listen to the full Jan. 2 phone call. This audio has been edited to remove the name of an individual about whom the president makes unsubstantiated allegations. (Obtained by The Washington Post)

By **Amy Gardner** and **Paulina Firozi**

Jan. 3, 2021 at 9:15 p.m. GMT

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About 3 p.m. Saturday, President Trump held an hour-long call with Brad Raffensperger, Georgia's secretary of state,



Jan. 3, 2021 at 9:15 p.m. GMT

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About 3 p.m. Saturday, President Trump held an hour-long call with Brad Raffensperger, Georgia's secretary of state, in which [he repeatedly urged him](#) to alter the outcome of the presidential vote in the state. He was joined on the call by White House Chief of Staff Mark Meadows and several lawyers, including longtime conservative attorney Cleta Mitchell and Georgia-based attorney Kurt Hilbert. Raffensperger was joined by his office's general counsel, Ryan Germany, and Deputy Secretary of State Jordan Fuchs.

The Washington Post obtained a copy of a recording of the call. This transcript has been edited to remove the name of an individual about whom Trump makes unsubstantiated claims.

Meadows: Okay. Alright. Mr. President, everyone is on the line. This is Mark Meadows, the chief of staff. Just so we all are aware. On the line is secretary of state and two other individuals. Jordan and Mr. Germany with him. You also have the attorneys that represent the president, Kurt and Alex and Cleta Mitchell — who is not the attorney of record but has been involved — myself and then the president. So Mr. President, I'll turn it over to you.

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President Trump had an hour-long conversation with the Georgia secretary of state Saturday. (Alex Edelman/Getty Images)

Trump: Okay, thank you very much. Hello Brad and Ryan and everybody. We appreciate the time and the call. So we've spent a lot of time on this, and if we could just go over some of the

numbers, I think it's pretty clear that we won. We won very substantially in Georgia. You even see it by rally size, frankly. We'd be getting 25-30,000 people a rally, and the competition would get less than 100 people. And it never made sense.

But we have a number of things. We have at least 2 or 3 — anywhere from 250 to 300,000 ballots were dropped mysteriously into the rolls. Much of that had to do with Fulton County, which hasn't been checked. We think that if you check the signatures — a real check of the signatures going back in Fulton County — you'll find at least a couple of hundred thousand of forged signatures of people who have been forged. And we are quite sure that's going to happen.

Another tremendous number. We're going to have an accurate number over the next two days with certified accountants. But an accurate number will be given, but it's in the 50s of thousands — and that's people that went to vote and they were told they can't vote because they've already been voted for. And it's a very sad thing. They walked out complaining. But the number's large. We'll have it for you

Speaker of the U.S. Senate hangs in the balance as polls open

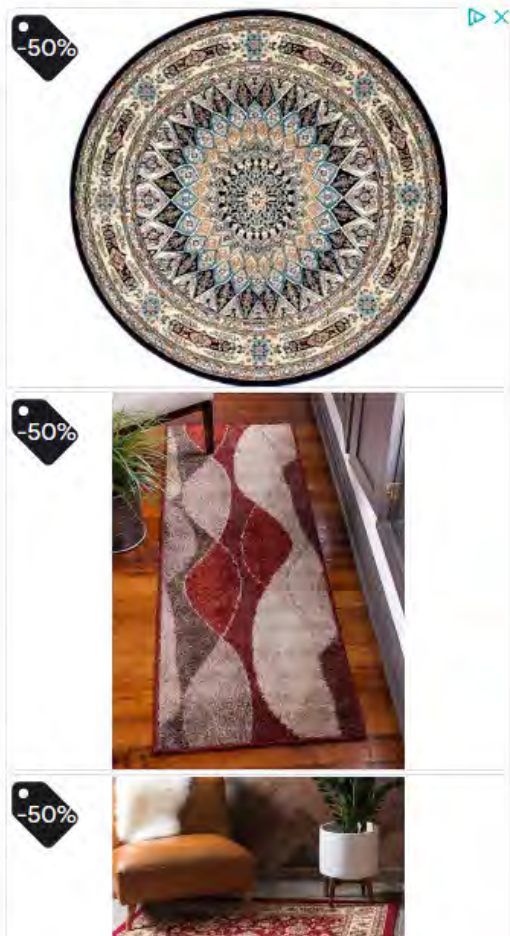
- 3 Cleta Mitchell, a key figure in president's phone call, was an early backer of Trump's election fraud claims



- 4 Trump sabotaging GOP on his way out of office with push to overturn election



- 5 'I just want to find 11,780 votes': In extraordinary hour-long call, Trump pressures Georgia secretary of state to recalculate the vote in his favor





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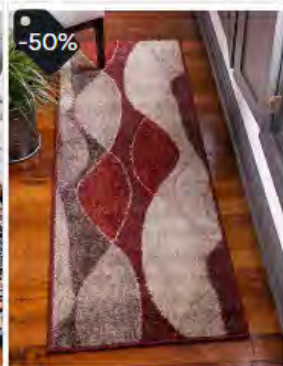


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the 50s of thousands — and that's people that went to vote and they were told they can't vote because they've already been voted for. And it's a very sad thing. They walked out complaining. But the number's large. We'll have it for you. But it's much more than the number of 11,779 that's — the current margin is only 11,779. Brad, I think you agree with that, right? That's something I think everyone — at least that's a number that everyone agrees on.



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But that's the difference in the votes. But we've had hundreds of thousands of ballots that we're able to actually — we'll get you a pretty accurate number. You don't need much of a number because the number that in theory I lost by, the margin would be 11,779. But you also have a substantial numbers of people, thousands and thousands, who went to the voting place on November 3, were told they couldn't vote, were told they couldn't vote because a ballot had been put on their name. And you know that's very, very, very, very sad.

We had, I believe it's about 4,502 voters who voted but who weren't on the voter registration list, so it's 4,502 who voted, but they weren't on the voter registration roll, which they had to be. You had 18,325 vacant address voters. The address was vacant, and they're not allowed to be counted. That's 18,325.

Smaller number — you had 904 who only voted where they

-50%



-50%



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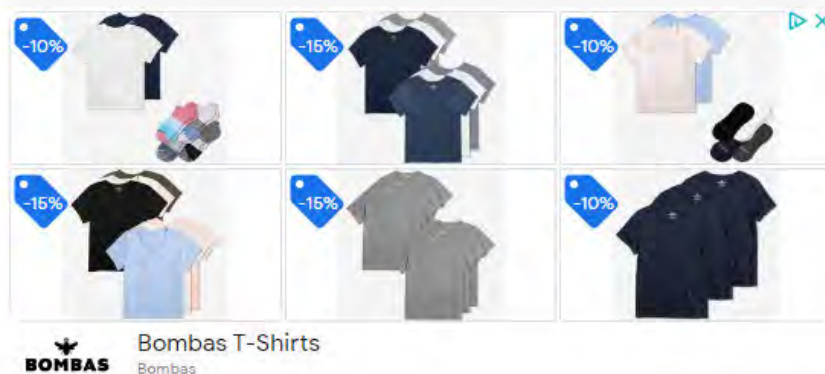
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to be. You had 18,325 vacant address voters. The address was vacant, and they're not allowed to be counted. That's 18,325.

Smaller number — you had 904 who only voted where they had just a P.O. — a post office box number — and they had a post office box number, and that's not allowed. We had at least 18,000 — that's on tape, we had them counted very painstakingly — 18,000 voters having to do with [name]. She's a vote scammer, a professional vote scammer and hustler [name]. That was the tape that's been shown all over the world that makes everybody look bad, you, me and everybody else.



Where they got — number one they said very clearly and it's been reported that they said there was a major water main break. Everybody fled the area. And then they came back, [name] and her daughter and a few people. There were no Republican poll watchers. Actually, there were no Democrat poll watchers, I guess they were them. But there were no Democrats, either, and there was no law enforcement. Late in the morning, early in the morning, they went to the table with the black robe and the black shield, and they pulled out the votes. Those votes were put there a number of hours before — the table was put there — I think it was, Brad, you would know, it was probably eight hours or seven hours before, and then it was stuffed with votes.

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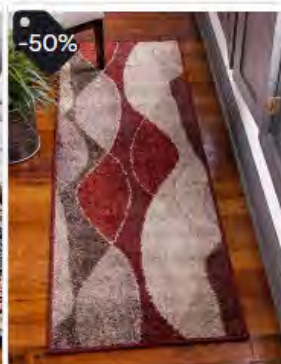


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votes. Those votes were put there a number of hours before — the table was put there — I think it was, Brad, you would know, it was probably eight hours or seven hours before, and then it was stuffed with votes.

They weren't in an official voter box; they were in what looked to be suitcases or trunks, suitcases, but they weren't in voter boxes. The minimum number it could be because we watched it, and they watched it certified in slow motion instant replay if you can believe it, but slow motion, and it was magnified many times over, and the minimum it was 18,000 ballots, all for Biden.

You had out-of-state voters. They voted in Georgia, but they were from out of state, of 4,925. You had absentee ballots sent to vacant, they were absentee ballots sent to vacant addresses. They had nothing on them about addresses, that's 2,326.



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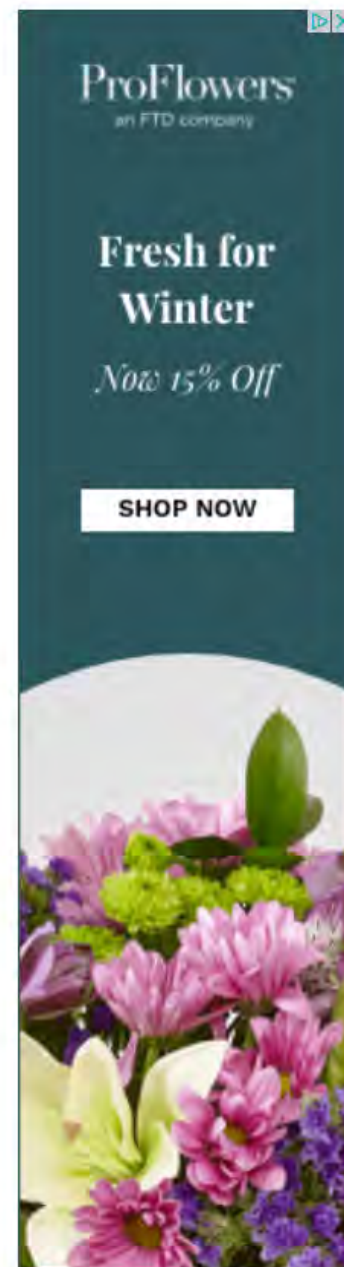
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And you had dropboxes, which is very bad. You had dropboxes that were picked up. We have photographs, and we have affidavits from many people.

I don't know if you saw the hearings, but you have dropboxes where the box was picked up but not delivered for three days. So all sorts of things could have happened to that box,

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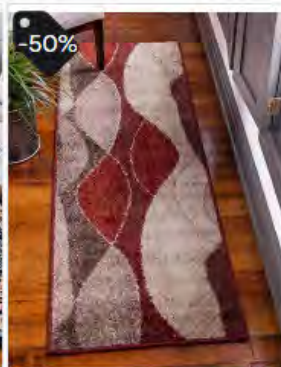
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I don't know if you saw the hearings, but you have dropboxes where the box was picked up but not delivered for three days. So all sorts of things could have happened to that box, including, you know, putting in the votes that you wanted. So there were many infractions, and the bottom line is, many, many times the 11,779 margin that they said we lost by — we had vast, I mean the state is in turmoil over this.

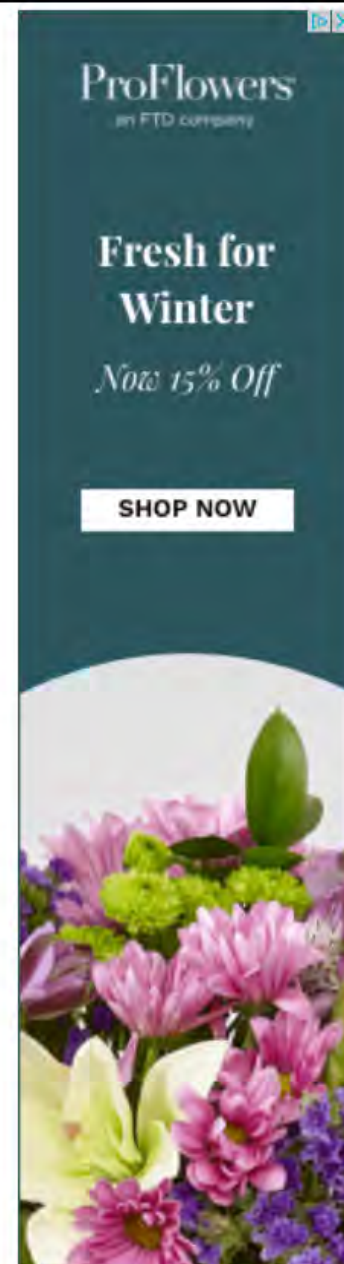
And I know you would like to get to the bottom of it, although I saw you on television today, and you said that you found nothing wrong. I mean, you know, and I didn't lose the state, Brad. People have been saying that it was the highest vote ever. There was no way. A lot of the political people said that there's no way they beat me. And they beat me. They beat me in the . . . As you know, every single state, we won every state. We won every statehouse in the country. We held the Senate, which is shocking to people, although we'll see what happens tomorrow or in a few days.



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And we won the House, but we won every single statehouse, and we won Congress, which was supposed to lose 15 seats, and they gained, I think 16 or 17 or something. I think there's a now difference of five. There was supposed to be a difference substantially more. But politicians in every state, but politicians in Georgia have given affidavits and are going





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a now difference of five. There was supposed to be a difference substantially more. But politicians in every state, but politicians in Georgia have given affidavits and are going to that, that there was no way that they beat me in the election, that the people came out, in fact, they were expecting to lose, and then they ended up winning by a lot because of the coattails. And they said there's no way, that they've done many polls prior to the election, that there was no way that they won.

Ballots were dropped in massive numbers. And we're trying to get to those numbers and we will have them.

They'll take a period of time. Certified. But but they're massive numbers. And far greater than the 11,779.

AD



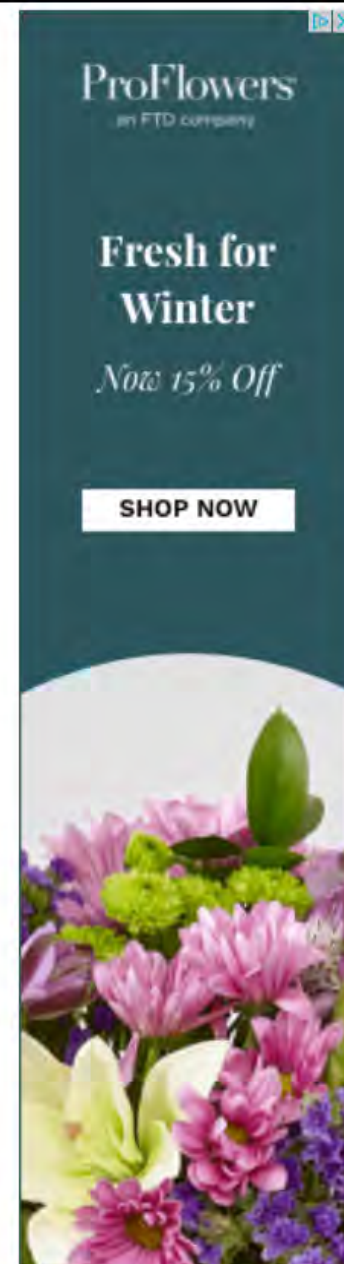
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The other thing, dead people. So dead people voted, and I think the number is close to 5,000 people. And they went to obituaries. They went to all sorts of methods to come up with an accurate number, and a minimum is close to about 5,000 voters.

The bottom line is, when you add it all up and then you start adding, you know, 300,000 fake ballots. Then the other thing they said is in Fulton County and other areas. And this may or may not be true — this just came up this morning that





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The bottom line is, when you add it all up and then you start adding, you know, 300,000 fake ballots. Then the other thing they said is in Fulton County and other areas. And this may or may not be true . . . this just came up this morning, that they are burning their ballots, that they are shredding, shredding ballots and removing equipment. They're changing the equipment on the Dominion machines and, you know, that's not legal.

And they supposedly shredded I think they said 300 pounds of, 3,000 pounds of ballots. And that just came to us as a report today. And it is a very sad situation.

AD



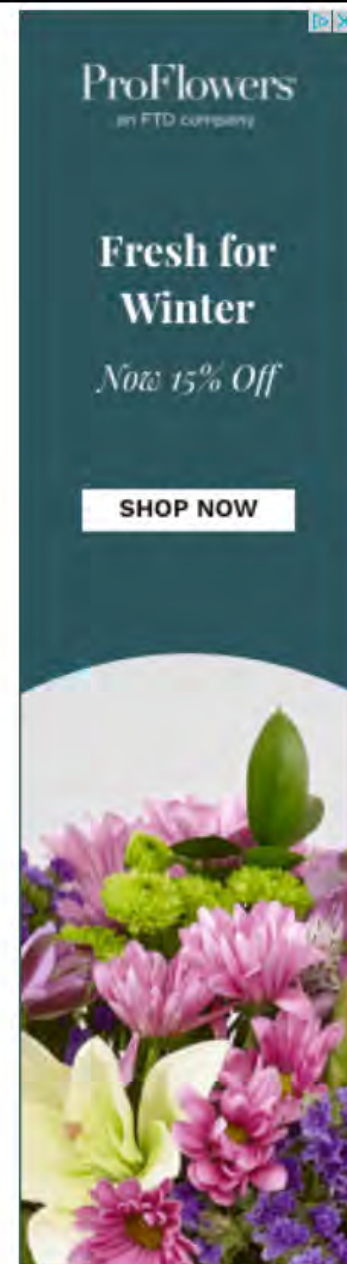
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But Brad, if you took the minimum numbers where many, many times above the 11,779, and many of those numbers are certified, or they will be certified, but they are certified. And those are numbers that are there, that exist. And that beat the margin of loss, they beat it, I mean, by a lot, and people should be happy to have an accurate count instead of an election where there's turmoil.

I mean there's turmoil in Georgia and other places. You're not the only one, I mean, we have other states that I believe will be flipping to us very shortly. And this is something that — you know, as an example, I think it in Detroit, I think there's a section, a good section of your state actually, which





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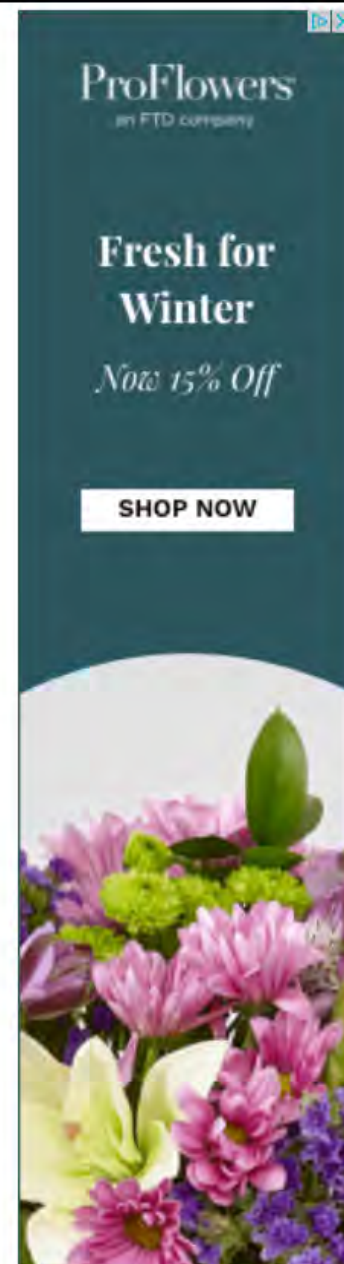
not the only one, I mean, we have other states that I believe will be flipping to us very shortly. And this is something that — you know, as an example, I think it in Detroit, I think there's a section, a good section of your state actually, which we're not sure so we're not going to report it yet. But in Detroit, we had, I think it was, 139 percent of the people voted. That's not too good.

In Pennsylvania, they had well over 200,000 more votes than they had people voting. And that doesn't play too well, and the legislature there is, which is Republican, is extremely activist and angry. I mean, there were other things also that were almost as bad as that. But they had as an example, in Michigan, a tremendous number of dead people that voted. I think it was, I think, Mark, it was 18,000. Some unbelievably high number, much higher than yours, you were in the 4-5,000 category.



And that was checked out laboriously by going through, by going through the obituary columns in the newspapers.

So I guess with all of it being said, Brad, the bottom line, and provisional ballots, again, you know, you'll have to tell me about the provisional ballots, but we have a lot of people that were complaining that they weren't able to vote because they were already voted for. These are great people.





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about the provisional ballots, but we have a lot of people that were complaining that they weren't able to vote because they were already voted for. These are great people.

And, you know, they were shellshocked. I don't know if you call that provisional ballots. In some states, we had a lot of provisional ballot situations where people were given a provisional ballot because when they walked in on November 3 and they were already voted for.

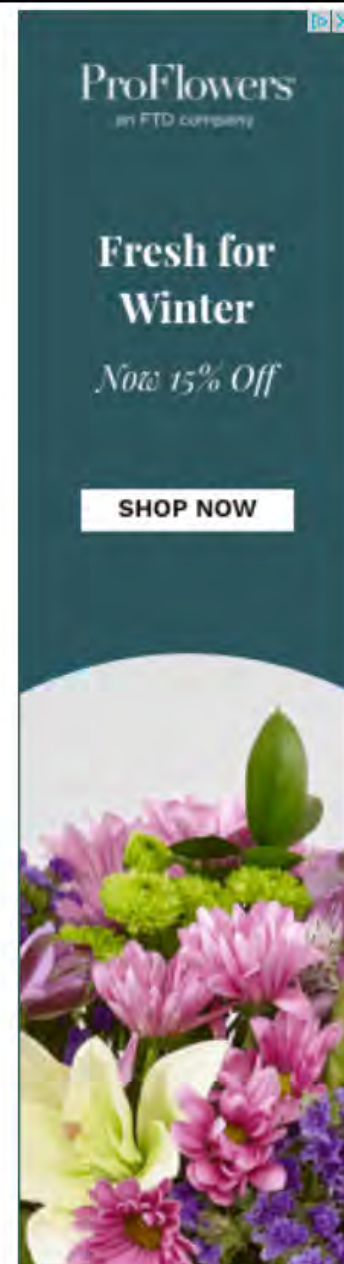
So that's it. I mean, we have many, many times the number of votes necessary to win the state. And we won the state, and we won it very substantially and easily, and we're getting, we have, much of this is a very certified, far more certified than we need. But we're getting additional numbers certified, too. And we're getting pictures of dropboxes being delivered and delivered late. Delivered three days later, in some cases, plus we have many affidavits to that effect.

[\[Election results under attack: Here are the facts\]](#)

Meadows: So, Mr. President, if I might be able to jump in, and I'll give Brad a chance. Mr. Secretary, obviously there is, there are allegations where we believe that not every vote or fair vote and legal vote was counted, and that's at odds with the representation from the secretary of state's office.

What I'm hopeful for is there some way that we can, we can find some kind of agreement to look at this a little bit more fully? You know the president mentioned Fulton County.

But in some of these areas where there seems to be a difference of where the facts seem to lead, and so Mr. Secretary, I was hopeful that, you know, in the spirit of cooperation and compromise, is there something that we can at least have a discussion to look at some of these allegations





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difference of where the facts seem to lead, and so on.

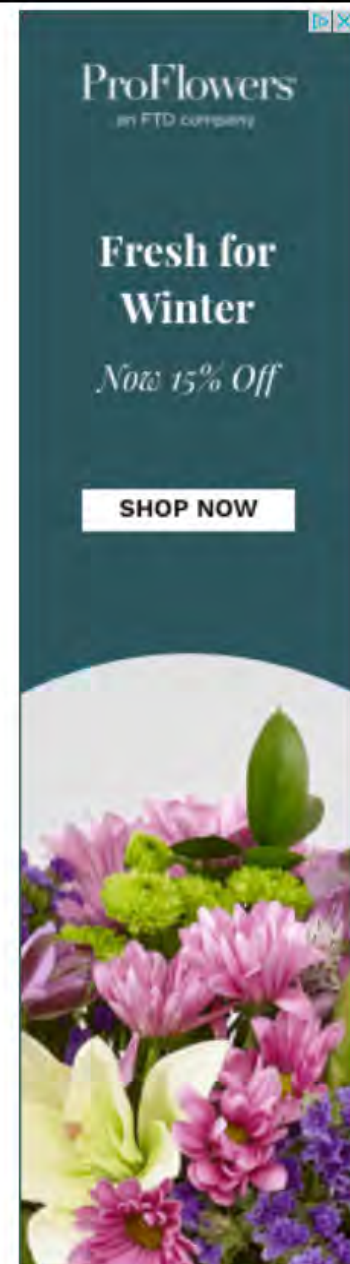
Secretary, I was hopeful that, you know, in the spirit of cooperation and compromise, is there something that we can at least have a discussion to look at some of these allegations to find a path forward that's less litigious?

Raffensperger: Well, I listened to what the president has just said. President Trump, we've had several lawsuits, and we've had to respond in court to the lawsuits and the contentions. We don't agree that you have won. And we don't — I didn't agree about the 200,000 number that you'd mentioned. I'll go through that point by point.

What we have done is we gave our state Senate about one and a half hours of our time going through the election issue by issue and then on the state House, the government affairs committee, we gave them about two and a half hours of our time, going back point by point on all the issues of contention. And then just a few days ago, we met with our U.S. congressmen, Republican congressmen, and we gave them about two hours of our time talking about this past election. Going back, primarily what you've talked about here focused in on primarily, I believe, is the absentee ballot process. I don't believe that you're really questioning the Dominion machines. Because we did a hand re-tally, a 100 percent re-tally of all the ballots, and compared them to what the machines said and came up with virtually the same result. Then we did the recount, and we got virtually the same result. So I guess we can probably take that off the table.

I don't think there's an issue about that.

Trump: Well, Brad. Not that there's not an issue, because we have a big issue with Dominion in other states and perhaps in yours. But we haven't felt we needed to go there. And just to, you know, maybe put a little different spin on what Mark is





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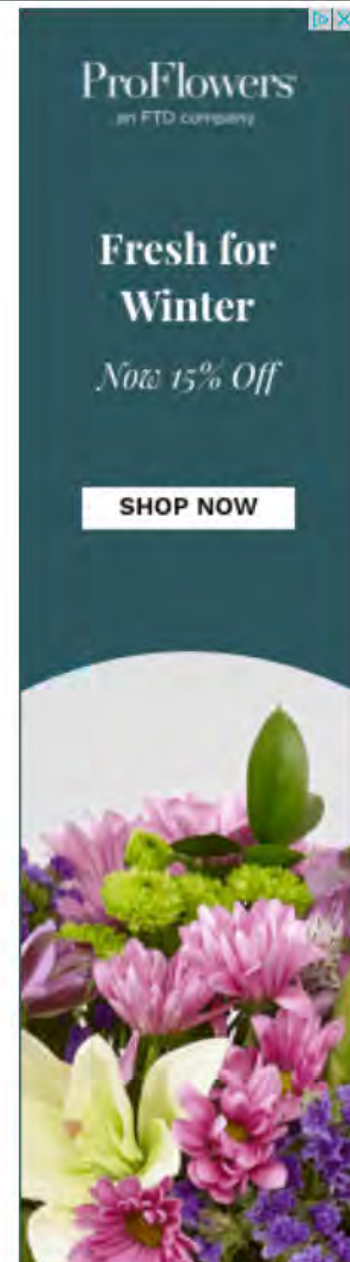
have a big issue with Dominion in other states and perhaps in yours. But we haven't felt we needed to go there. And just to, you know, maybe put a little different spin on what Mark is saying, Mark Meadows, yeah we'd like to go further, but we don't really need to. We have all the votes we need.

You know, we won the state. If you took, these are the most minimal numbers, the numbers that I gave you, those are numbers that are certified, your absentee ballots sent to vacant addresses, your out-of-state voters, 4,925. You know when you add them up, it's many more times, it's many times the 11,779 number. So we could go through, we have not gone through your Dominion. So we can't give them blessing. I mean, in other states, we think we found tremendous corruption with Dominion machines, but we'll have to see.

But we only lost the state by that number, 11,000 votes, and 779. So with that being said, with just what we have, with just what we have, we're giving you minimal, minimal numbers. We're doing the most conservative numbers possible; we're many times, many, many times above the margin. And so we don't really have to, Mark, I don't think we have to go through . . .

Meadows: Right

Trump: Because what's the difference between winning the election by two votes and winning it by half a million votes. I think I probably did win it by half a million. You know, one of the things that happened, Brad, is we have other people coming in now from Alabama and from South Carolina and from other states, and they're saying it's impossible for you to have lost Georgia. We won. You know in Alabama, we set a record, got the highest vote ever. In Georgia, we set a record with a massive amount of votes. And they say it's not possible





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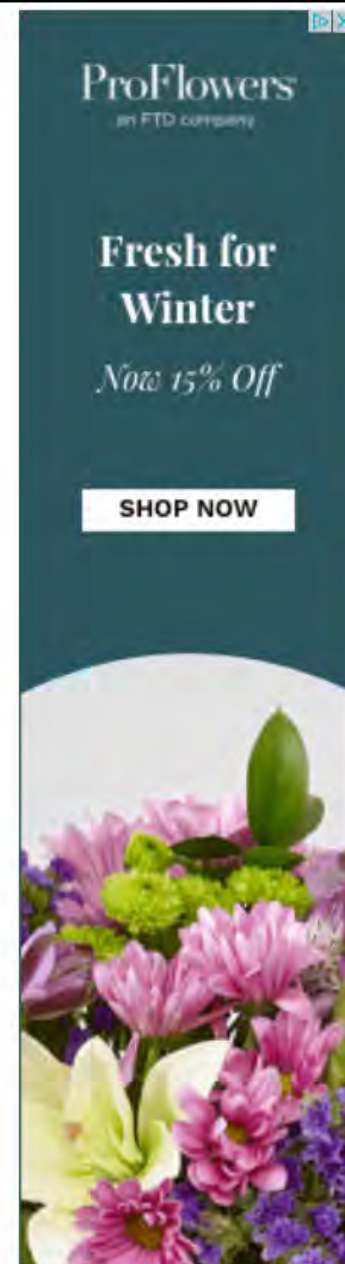
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have lost Georgia. We won. You know in Alabama, we set a record, got the highest vote ever. In Georgia, we set a record with a massive amount of votes. And they say it's not possible to have lost Georgia.

And I could tell you by our rallies. I could tell you by the rally I'm having on Monday night, the place, they already have lines of people standing out front waiting. It's just not possible to have lost Georgia. It's not possible. When I heard it was close, I said there's no way. But they dropped a lot of votes in there late at night. You know that, Brad. And that's what we are working on very, very stringently. But regardless of those votes, with all of it being said, we lost by essentially 11,000 votes, and we have many more votes already calculated and certified, too.

And so I just don't know, you know, Mark, I don't know what's the purpose. I won't give Dominion a pass because we found too many bad things. But we don't need Dominion or anything else. We have won this election in Georgia based on all of this. And there's nothing wrong with saying that, Brad. You know, I mean, having the correct — the people of Georgia are angry. And these numbers are going to be repeated on Monday night. Along with others that we're going to have by that time, which are much more substantial even. And the people of Georgia are angry, the people of the country are angry. And there's nothing wrong with saying that, you know, that you've recalculated. Because the 2,236 in absentee ballots. I mean, they're all exact numbers that were done by accounting firms, law firms, etc. And even if you cut 'em in half, cut 'em in half and cut 'em in half again, it's more votes than we need.

Raffensperger: Well, Mr. President, the challenge that you have is the data you have is wrong. We talked to the



than we need.

Raffensperger: Well, Mr. President, the challenge that you have is the data you have is wrong. We talked to the congressmen, and they were surprised.

But they — I guess there was a person named Mr. Braynard who came to these meetings and presented data, and he said that there was dead people, I believe it was upward of 5,000. The actual number were two. Two. Two people that were dead that voted. So that's wrong.

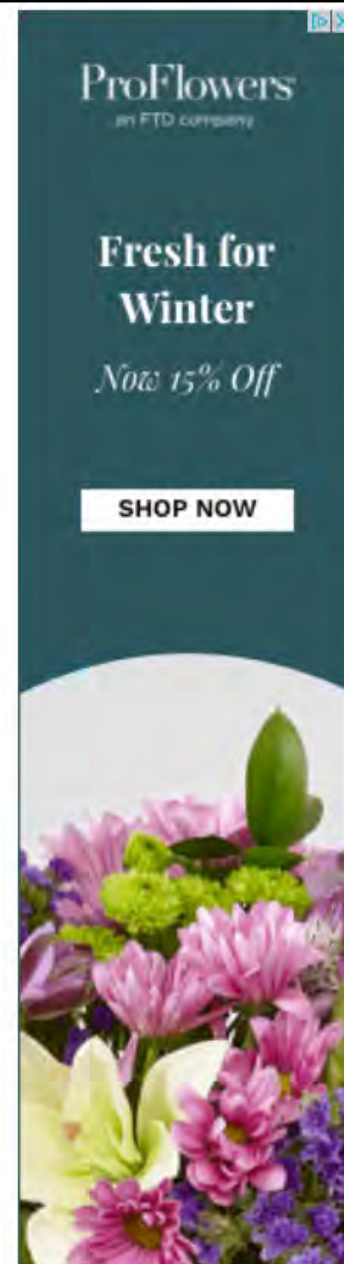
Trump: Well, Cleta, how do you respond to that? Maybe you tell me?

Mitchell: Well, I would say, Mr. Secretary, one of the things that we have requested and what we said was, if you look, if you read our petition, it said that we took the names and birth years, and we had certain information available to us. We have asked from your office for records that only you have, and so we said there is a universe of people who have the same name and same birth year and died.

But we don't have the records that you have. And one of the things that we have been suggesting formally and informally for weeks now is for you to make available to us the records that would be necessary —

[Cleta Mitchell, a key figure in president's phone call, was an early backer of Trump's election fraud claims]

Trump: But, Cleta, even before you do that, and not even including that, that's why I hardly even included that number, although in one state, we have a tremendous amount of dead people. So I don't know — I'm sure we do in Georgia, too. I'm sure we do in Georgia, too.



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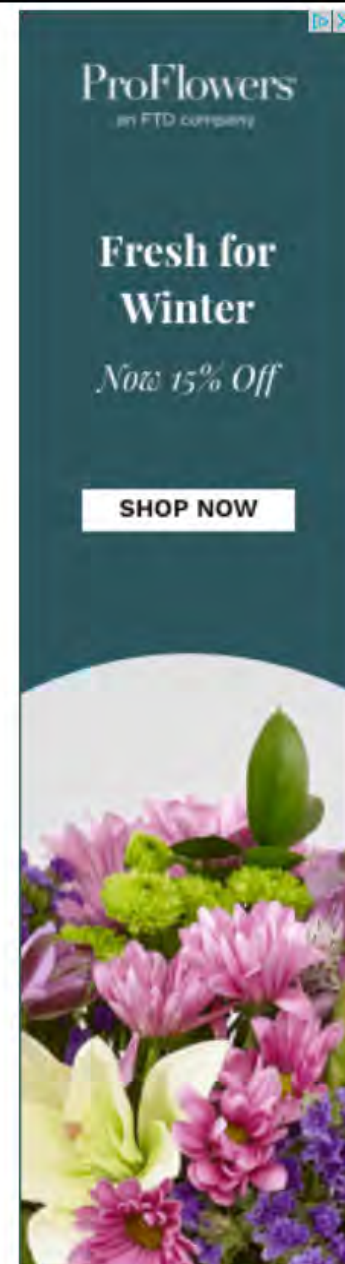
number, although in one state, we have a tremendous amount of dead people. So I don't know — I'm sure we do in Georgia, too. I'm sure we do in Georgia, too.

But we're so far ahead. We're so far ahead of these numbers, even the phony ballots of [name] , known scammer. You know the Internet? You know what was trending on the Internet? "Where's [name]?" Because they thought she'd be in jail. "Where's [name]?" It's crazy, it's crazy. That was. The minimum number is 18,000 for [name] , but they think it's probably about 56,000, but the minimum number is 18,000 on the [name] night where she ran back in there when everybody was gone and stuffed, she stuffed the ballot boxes. Let's face it, Brad, I mean. They did it in slow motion replay magnified, right? She stuffed the ballot boxes. They were stuffed like nobody has ever seen them stuffed before.

So there's a term for it when it's a machine instead of a ballot box, but she stuffed the machine. She stuffed the ballot. Each ballot went three times, they were showing: Here's ballot No 1. Here it is a second time, third time, next ballot.

I mean, look. Brad. We have a new tape that we're going to release. It's devastating. And by the way, that one event, that one event is much more than the 11,000 votes that we're talking about. It's, you know, that one event was a disaster. And it's just, you know, but it was, it was something, it can't be disputed. And again, we have a version that you haven't seen, but it's magnified. It's magnified, and you can see everything. For some reason, they put it in three times, each ballot, and I don't know why. I don't know why three times. Why not five times, right? Go ahead.

Raffensperger: You're talking about the State Farm video. And I think it's extremely unfortunate that Rudy Giuliani or his people. they sliced and diced that video and took it out of





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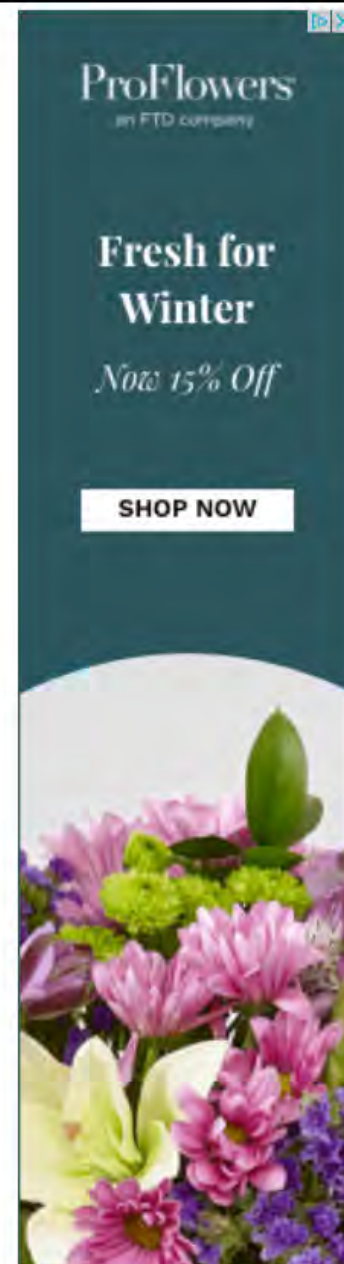
Raffensperger: You're talking about the State Farm video. And I think it's extremely unfortunate that Rudy Giuliani or his people, they sliced and diced that video and took it out of context. The next day, we brought in WSB-TV, and we let them show, see the full run of tape, and what you'll see, the events that transpired are nowhere near what was projected by, you know —

Trump: But where were the poll watchers, Brad? There were no poll watchers there. There were no Democrats or Republicans. There was no security there.

It was late in the evening, late in the, early in the morning, and there was nobody else in the room. Where were the poll watchers, and why did they say a water main broke, which they did and which was reported in the newspapers? They said they left. They ran out because of a water main break, and there was no water main. There was nothing. There was no break. There was no water main break. But we're, if you take out everything, where were the Republican poll watchers, even where were the Democrat pollwatchers, because there were none.

And then you say, well, they left their station, you know, if you look at the tape, and this was, this was reviewed by professional police and detectives and other people, when they left in a rush, everybody left in a rush because of the water main, but everybody left in a rush. These people left their station.

When they came back, they didn't go to their station. They went to the apron, wrapped around the table, under which were thousands and thousands of ballots in a box that was not an official or a sealed box. And then they took those. They went back to a different station. So if they would have come





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went to the apron, wrapped around the table, under which were thousands and thousands of ballots in a box that was not an official or a sealed box. And then they took those. They went back to a different station. So if they would have come back, they would have walked to their station, and they would have continued to work. But they couldn't do even that because that's illegal, because they had no Republican pollwatchers. And remember, her reputation is — she's known all over the Internet, Brad. She's known all over.

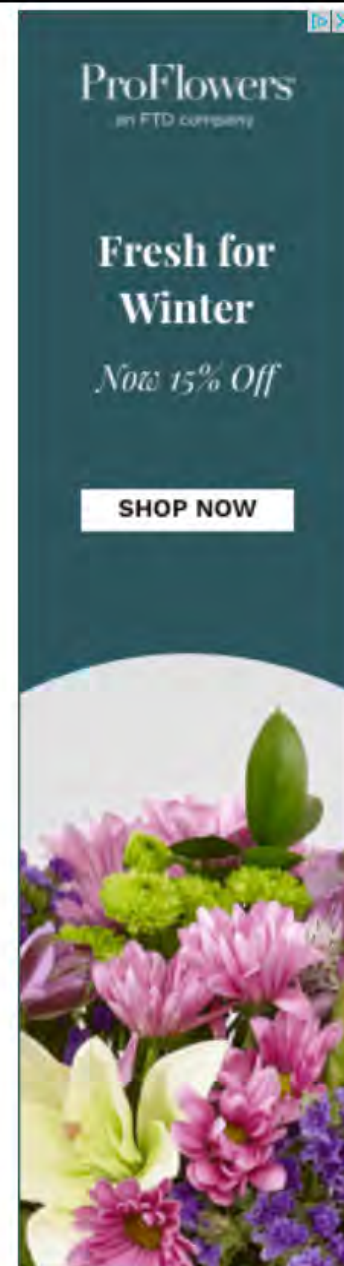
I'm telling you, "Where's [name]" was one of the hot items . . . [name] They knew her. "Where's [name]?" So Brad, there can be no justification for that. And I, you know, I give everybody the benefit of the doubt. But that was — and Brad, why did they put the votes in three times? You know, they put 'em in three times.

Raffensperger: Mr. President, they did not put that. We did an audit of that, and we proved conclusively that they were not scanned three times.

Trump: Where was everybody else at that late time in the morning? Where was everybody? Where were the Republicans? Where were the security guards? Were the people that were there just a little while before when everyone ran out of the room. How come we had no security in the room. Why did they run to the bottom of the table? Why do they run there and just open the skirt and rip out the votes. I mean, Brad. And they were sitting there, I think for five hours or something like that, the votes.

Raffensperger: Mr. President, we'll send you the link from WSB.

Trump: I don't care about the link. I don't need it. Brad, I have a much better —





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Trump: I don't care about the link. I don't need it. Brad, I have a much better —

Mitchell: I will tell you. I've seen the tape. The full tape. So has Alex. We've watched it. And what we saw and what we've confirmed in the timing is that they made everybody leave — we have sworn affidavits saying that. And then they began to process ballots. And our estimate is that there were roughly 18,000 ballots. We don't know that. If you know that . . .

Trump: It was 18,000 ballots, but they used each one three times.

Mitchell: Well, I don't know about that.

Trump: I do think we had ours magnified out.

Mitchell: I've watched the entire tape.

Trump: Nobody can make a case for that, Brad. Nobody. I mean, look, you'd have to be a child to think anything other than that. Just a child.

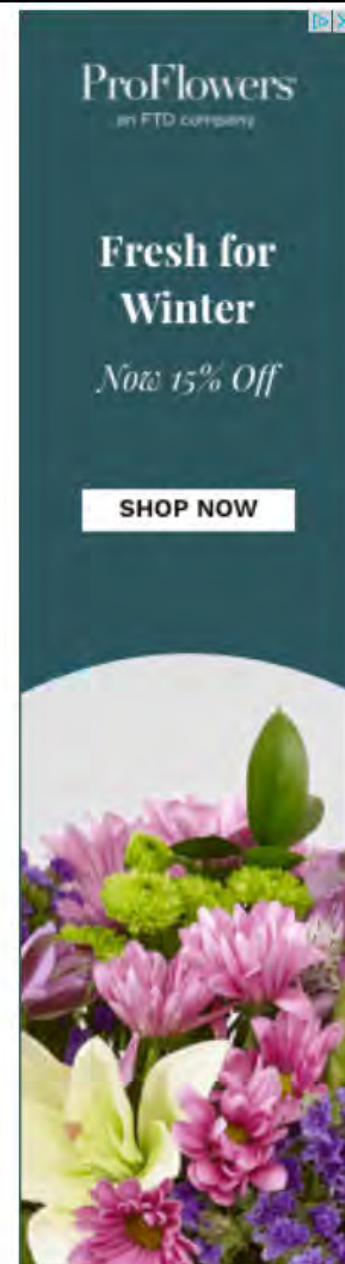
Mitchell: How many ballots, Mr. Secretary, are you saying were processed then?

Raffensperger: We had GBI . . . investigate that.

Germany: We had our — this is Ryan Germany. We had our law enforcement officers talk to everyone who was, who was there after that event came to light. GBI was with them as well as FBI agents.

Trump: Well, there's no way they could — then they're incompetent. They're either dishonest or incompetent, okay?

Mitchell: Well, what did they find?





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Trump: Well, there's no way they could — then they're incompetent. They're either dishonest or incompetent, okay?

Mitchell: Well, what did they find?

Trump: There's only two answers, dishonesty or incompetence. There's just no way. Look. There's no way. And on the other thing, I said too, there is no way. I mean, there's no way that these things could have been, you know, you have all these different people that voted, but they don't live in Georgia anymore. What was that number, Cleta? That was a pretty good number, too.

Mitchell: The number who have registered out of state after they moved from Georgia. And so they had a date when they moved from Georgia, they registered to vote out of state, and then it's like 4,500, I don't have that number right in front of me.

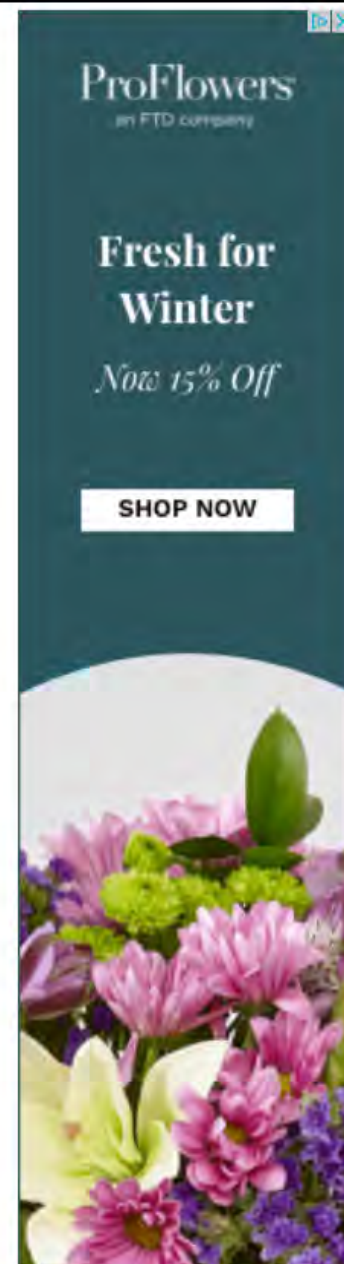
Trump: And then they came back in, and they voted.

Mitchell: And voted. Yeah.

Trump: I thought that was a large number, though. It was in the 20s.

Germany: We've been going through each of those as well, and those numbers that we got, that Ms. Mitchell was just saying, they're not accurate. Every one we've been through are people that lived in Georgia, moved to a different state, but then moved back to Georgia legitimately. And in many cases —

Trump: How may people do that? They moved out, and then they said, "Ah, to hell with it, I'll move back." You know, it doesn't sound like a very normal . . . you mean, they moved out and what they missed it so much that they wanted to





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Trump: How may people do that? They moved out, and then they said, “Ah, to hell with it, I’ll move back.” You know, it doesn’t sound like a very normal . . . you mean, they moved out, and what, they missed it so much that they wanted to move back in? It’s crazy.

Germany: They moved back in years ago. This was not like something just before the election. So there’s something about that data that, it’s just not accurate.

Trump: Well, I don’t know, all I know is that it is certified. And they moved out of Georgia, and they voted. It didn’t say they moved back in, Cleta, did it?

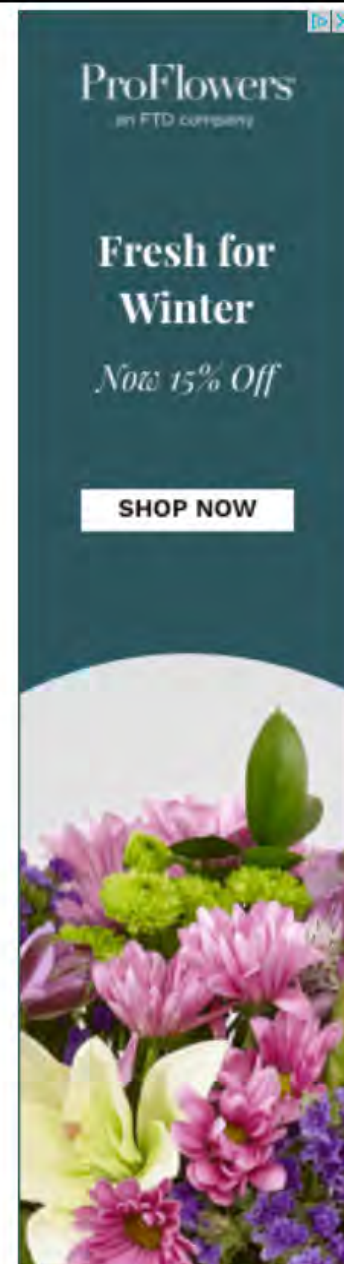
[*\[Fact-checking Trump’s call to the Georgia secretary of state\]*](#)

Mitchell: No, but I mean, we’re looking at the voter registration. Again, if you have additional records, we’ve been asking for that, but you haven’t shared any of that with us. You just keep saying you investigated the allegations.

Trump: Cleta, a lot of it you don’t need to be shared. I mean, to be honest, they should share it. They should share it because you want to get to an honest election.

I won this election by hundreds of thousands of votes. There’s no way I lost Georgia. There’s no way. We won by hundreds of thousands of votes. I’m just going by small numbers, when you add them up, they’re many times the 11,000. But I won that state by hundreds of thousands of votes.

Do you think it’s possible that they shredded ballots in Fulton County? Because that’s what the rumor is. And also that Dominion took out machines. That Dominion is really moving fast to get rid of their, uh, machinery.





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County? Because that's what the rumor is. And also that Dominion took out machines. That Dominion is really moving fast to get rid of their, uh, machinery.

Do you know anything about that? Because that's illegal, right?

Germany: This is Ryan Germany. No, Dominion has not moved any machinery out of Fulton County.

Trump: But have they moved the inner parts of the machines and replaced them with other parts?

Germany: No.

Trump: Are you sure, Ryan?

Germany: I'm sure. I'm sure, Mr. President.

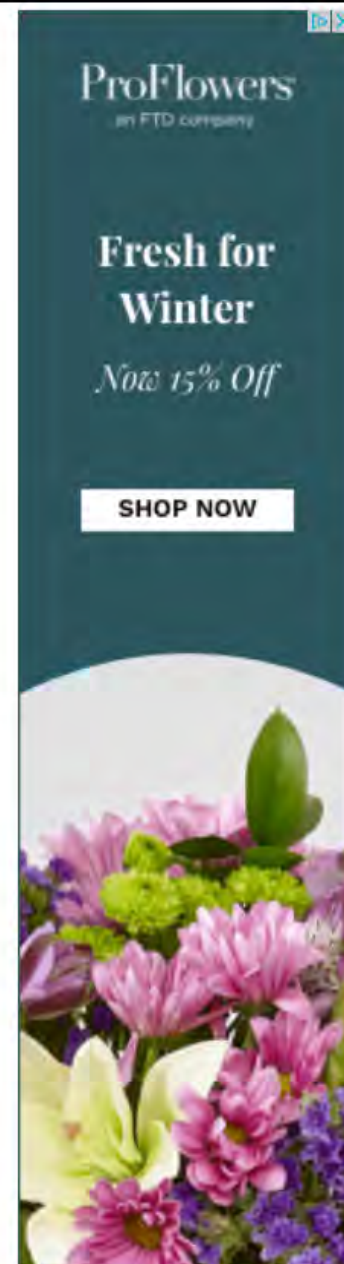
Trump: What about, what about the ballots. The shredding of the ballots. Have they been shredding ballots?

Germany: The only investigation that we have into that — they have not been shredding any ballots. There was an issue in Cobb County where they were doing normal office shredding, getting rid of old stuff, and we investigated that. But this stuff from, you know, from you know past elections.

Trump: It doesn't pass the smell test because we hear they're shredding thousands and thousands of ballots, and now what they're saying, "Oh, we're just cleaning up the office." You know.

Raffensperger: Mr. President, the problem you have with social media, they — people can say anything.

Trump: Oh this isn't social media. This is Trump media. It's not social media. It's really not; it's not social media. I don't



social media, they — people can say anything.

Trump: Oh this isn't social media. This is Trump media. It's not social media. It's really not; it's not social media. I don't care about social media. I couldn't care less. Social media is Big Tech. Big Tech is on your side, you know. I don't even know why you have a side because you should want to have an accurate election. And you're a Republican.

Raffensperger: We believe that we do have an accurate election.

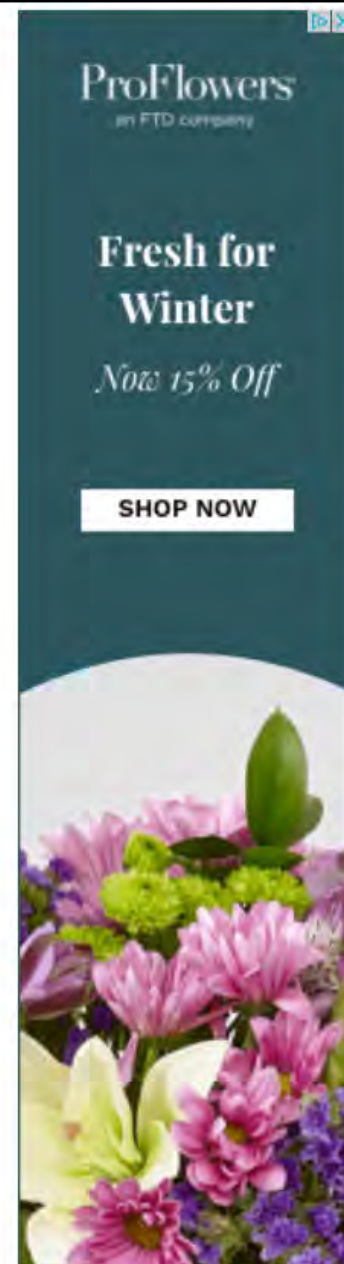
Trump: No, no you don't. No, no you don't. You don't have. Not even close. You're off by hundreds of thousands of votes. And just on the small numbers, you're off on these numbers, and these numbers can't be just — well, why won't? — Okay. So you sent us into Cobb County for signature verification, right? You sent us into Cobb County, which we didn't want to go into. And you said it would be open to the public. So we had our experts there, they weren't allowed into the room. But we didn't want Cobb County. We wanted Fulton County. And you wouldn't give it to us. Now, why aren't we doing signature — and why can't it be open to the public?

And why can't we have professionals do it instead of rank amateurs who will never find anything and don't want to find anything? They don't want to find, you know they don't want to find anything. Someday you'll tell me the reason why, because I don't understand your reasoning, but someday you'll tell me the reason why. But why don't you want to find?

Germany: Mr. President, we chose Cobb County —

Trump: Why don't you want to find . . . What?

Germany: Sorry, go ahead.



Trump: Why don't you want to find . . . What?

Germany: Sorry, go ahead.

Trump: So why did you do Cobb County? We didn't even request — we requested Fulton County, not Cobb County. Go ahead, please. Go ahead.

Germany: We chose Cobb County because that was the only county where there's been any evidence submitted that the signature verification was not properly done.

Trump: No, but I told you. We're not, we're not saying that.

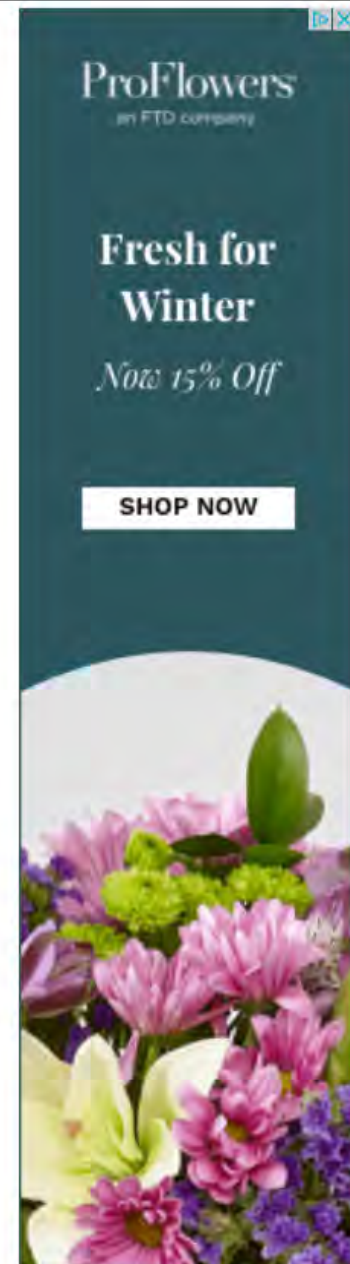
Mitchell: We did say that.

Trump: Fulton County. Look. Stacey, in my opinion, Stacey is as dishonest as they come. She has outplayed you . . . at everything. She got you to sign a totally unconstitutional agreement, which is a disastrous agreement. You can't check signatures. I can't imagine you're allowed to do harvesting, I guess, in that agreement. That agreement is a disaster for this country. But she got you somehow to sign that thing, and she has outsmarted you at every step.

And I hate to imagine what's going to happen on Monday or Tuesday, but it's very scary to people. You know, when the ballots flow in out of nowhere. It's very scary to people. That consent decree is a disaster. It's a disaster. A very good lawyer who examined it said they've never seen anything like it.

Raffensperger: Harvesting is still illegal in the state of Georgia. And that settlement agreement did not change that one iota.

Trump: It's not a settlement agreement, it's a consent



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Georgia. And that settlement agreement did not change that one iota.

Trump: It's not a settlement agreement, it's a consent decree. It even says consent decree on it, doesn't it? It uses the term consent decree. It doesn't say settlement agreement. It's a consent decree. It's a disaster.

Raffensperger: It's a settlement agreement.

Trump: What's written on top of it?

Raffensperger: Ryan?

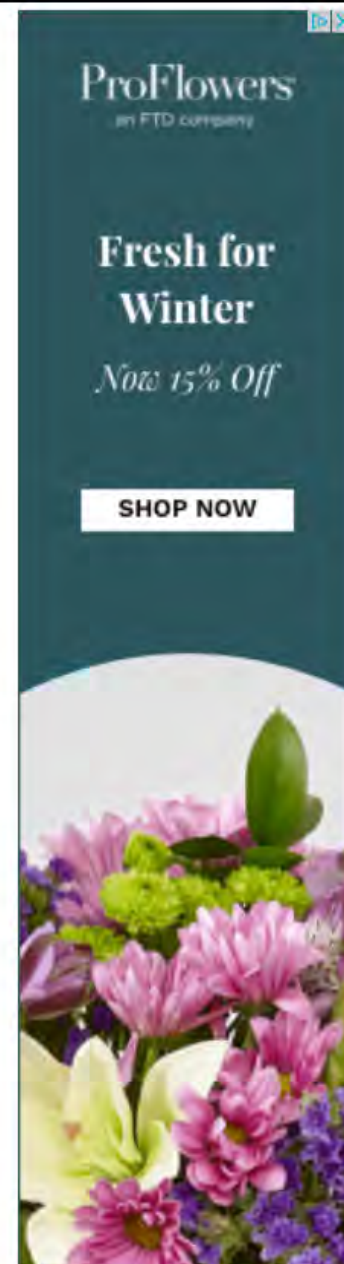
Germany: I don't have it in front of me, but it was not entered by the court, it's not a court order.

Trump: But Ryan, it's called a consent decree, is that right? On the paper. Is that right?

Germany: I don't. I don't. I don't believe so, but I don't have it in front of me.

[The Trump-Raffensperger call was big news — unless you were following conservative media]

Trump: Okay, whatever, it's a disaster. It's a disaster. Look. Here's the problem. We can go through signature verification, and we'll find hundreds of thousands of signatures, if you let us do it. And the only way you can do it, as you know, is to go to the past. But you didn't do that in Cobb County. You just looked at one page compared to another. The only way you can do a signature verification is go from the one that signed it on November whatever. Recently. And compare it to two years ago, four years ago, six years ago, you know, or even one. And you'll find that you have many different signatures. But in Fulton, where they dumped ballots, you will find that you have many that aren't





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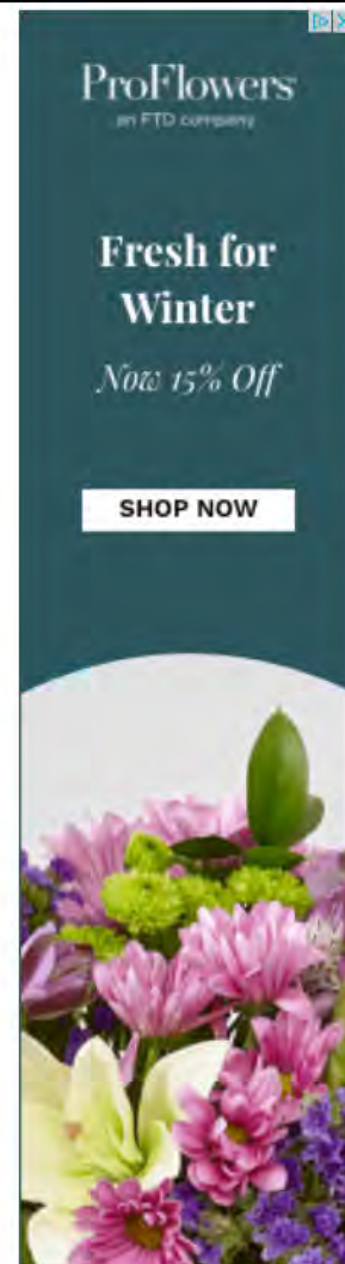
Recently. And compare it to two years ago, four years ago, six years ago, you know, or even one. And you'll find that you have many different signatures. But in Fulton, where they dumped ballots, you will find that you have many that aren't even signed and you have many that are forgeries.

Okay, you know that. You know that. You have no doubt about that. And you will find you will be at 11,779 within minutes because Fulton County is totally corrupt, and so is she totally corrupt.

And they're going around playing you and laughing at you behind your back, Brad, whether you know it or not, they're laughing at you. And you've taken a state that's a Republican state, and you've made it almost impossible for a Republican to win because of cheating, because they cheated like nobody's ever cheated before. And I don't care how long it takes me, you know, we're going to have other states coming forward — pretty good.

But I won't . . . this is never . . . this is . . . We have some incredible talent said they've never seen anything . . . Now the problem is they need more time for the big numbers. But they're very substantial numbers. But I think you're going to find that they — by the way, a little information — I think you're going to find that they are shredding ballots because they have to get rid of the ballots because the ballots are unsigned. The ballots are corrupt, and they're brand new, and they don't have seals, and there's a whole thing with the ballots. But the ballots are corrupt.

And you are going to find that they are — which is totally illegal — it is more illegal for you than it is for them because, you know, what they did and you're not reporting it. That's a criminal, that's a criminal offense. And you can't let that happen. That's a big risk to you and to Ryan, your lawyer





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illegal — it is more illegal for you than it is for them because, you know, what they did and you're not reporting it. That's a criminal, that's a criminal offense. And you can't let that happen. That's a big risk to you and to Ryan, your lawyer. And that's a big risk. But they are shredding ballots, in my opinion, based on what I've heard. And they are removing machinery, and they're moving it as fast as they can, both of which are criminal finds. And you can't let it happen, and you are letting it happen. You know, I mean, I'm notifying you that you're letting it happen. So look. All I want to do is this. I just want to find 11,780 votes, which is one more than we have because we won the state.

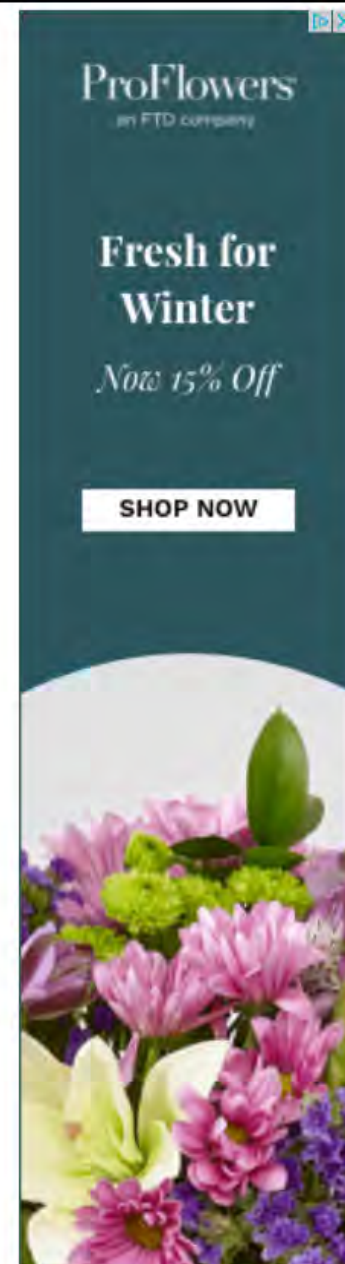
And flipping the state is a great testament to our country because, you know, this is — it's a testament that they can admit to a mistake or whatever you want to call it. If it was a mistake, I don't know. A lot of people think it wasn't a mistake. It was much more criminal than that. But it's a big problem in Georgia, and it's not a problem that's going away. I mean, you know, it's not a problem that's going away.

Germany: This is Ryan. We're looking into every one of those things that you mentioned.

Trump: Good. But if you find it, you've got to say it, Ryan.

Germany: . . . Let me tell you what we are seeing. What we're seeing is not at all what you're describing. These are investigators from our office, these are investigators from GBI, and they're looking, and they're good. And that's not what they're seeing. And we'll keep looking, at all these things.

Trump: Well, you better check on the ballots because they are shredding ballots, Ryan. I'm just telling you, Ryan. They're shredding ballots. And you should look at that very





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Trump: Well, you better check on the ballots because they are shredding ballots, Ryan. I'm just telling you, Ryan. They're shredding ballots. And you should look at that very carefully. Because that's so illegal. You know, you may not even believe it because it's so bad. But they're shredding ballots because they think we're going to eventually get there . . . because we'll eventually get into Fulton. In my opinion, it's never too late. . . . So, that's the story. Look, we need only 11,000 votes. We have are far more than that as it stands now. We'll have more and more. And . . . do you have provisional ballots at all, Brad? Provisional ballots?

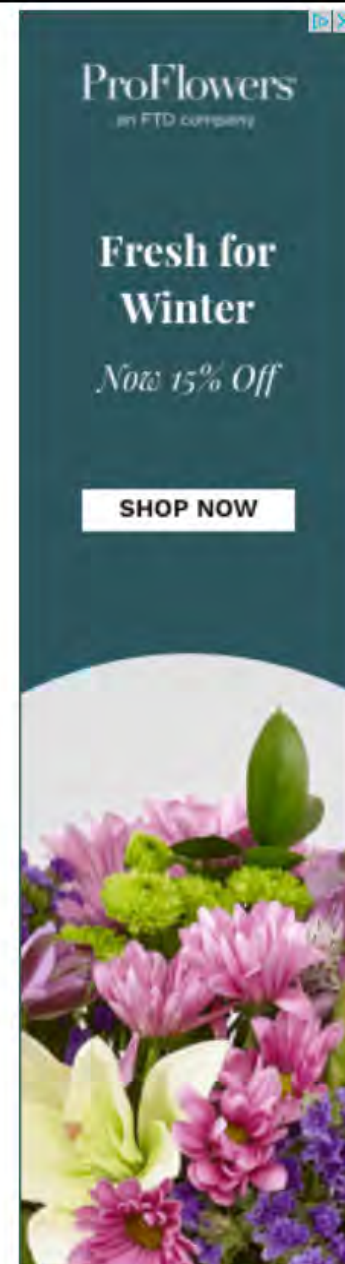
Raffensperger: Provisional ballots are allowed by state law.

Trump: Sure, but I mean, are they counted, or did you just hold them back because they, you know, in other words, how many provisional ballots do you have in the state?

Raffensperger: We'll get you that number.

Trump: Because most of them are made out to the name Trump. Because these are people that were scammed when they came in. And we have thousands of people that have testified or that want to testify. When they came in, they were proudly going to vote on November 3. And they were told, "I'm sorry, you've already been voted for, you've already voted." The women, men started screaming, "No. I proudly voted till November 3." They said, "I'm sorry, but you've already been voted for, and you have a ballot." And these people are beside themselves. So they went out, and they filled in a provisional ballot, putting the name Trump on it.

And what about that batch of military ballots that came in. And even though I won the military by a lot, it was 100 percent Trump. I mean 100 percent Biden. Do you know





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And what about that batch of military ballots that came in. And even though I won the military by a lot, it was 100 percent Trump. I mean 100 percent Biden. Do you know about that? A large group of ballots came in, I think it was to Fulton County, and they just happened to be 100 percent for Trump — for Biden — even though Trump won the military by a lot, you know, a tremendous amount. But these ballots were 100 percent for Biden. And do you know about that? A very substantial number came in, all for Biden. Does anybody know about it?

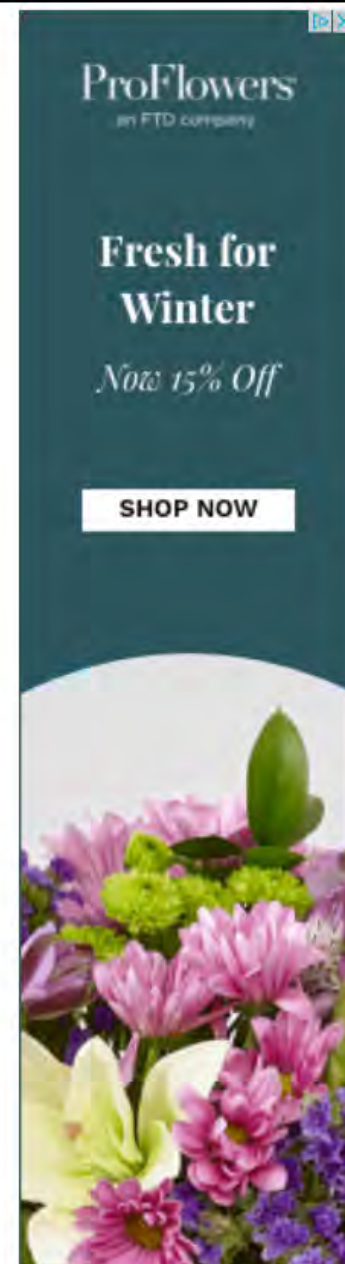
Mitchell: I know about it, but —

Trump: Okay, Cleta, I'm not asking you, Cleta, honestly. I'm asking Brad. Do you know about the military ballots that we have confirmed now. Do you know about the military ballots that came in that were 100 percent, I mean 100 percent, for Biden. Do you know about that?

Germany: I don't know about that. I do know that we have, when military ballots come in, it's not just military, it's also military and overseas citizens. The military part of that does generally go Republican. The overseas citizen part of it generally goes very Democrat. This was a mix of 'em.

Trump: No, but this was. That's okay. But I got like 78 percent of the military. These ballots were all for . . . They didn't tell me overseas. Could be overseas, too, but I get votes overseas, too, Ryan, in all fairness. No they came in, a large batch came in, and it was, quote, 100 percent for Biden. And that is criminal. You know, that's criminal. Okay. That's another criminal, that's another of the many criminal events, many criminal events here.

I don't know, look, Brad. I got to get . . . I have to find 12,000 votes, and I have them times a lot. And therefore, I won the



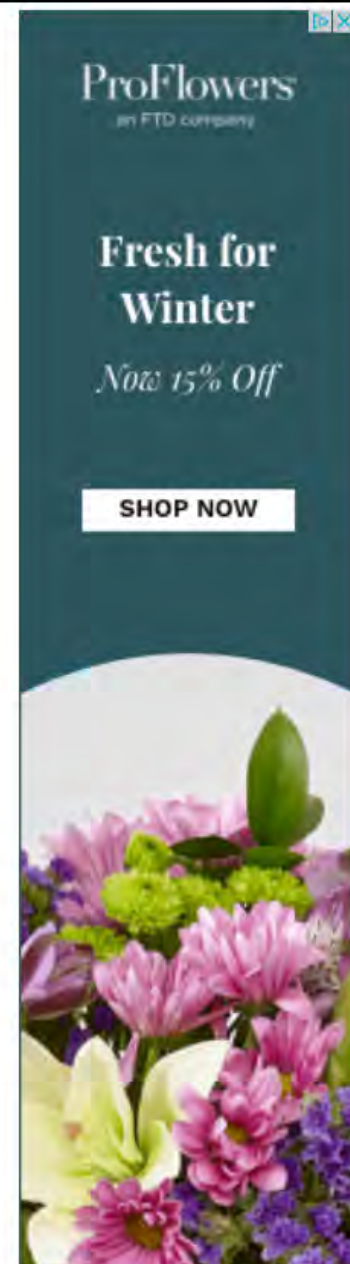
many criminal events here.

I don't know, look, Brad. I got to get . . . I have to find 12,000 votes, and I have them times a lot. And therefore, I won the state. That's before we go to the next step, which is in the process of right now. You know, and I watched you this morning, and you said, well, there was no criminality.

But I mean all of this stuff is very dangerous stuff. When you talk about no criminality, I think it's very dangerous for you to say that.

I just, I just don't know why you don't want to have the votes counted as they are. Like even you when you went and did that check. And I was surprised because, you know . . . And we found a few thousand votes that were against me. I was actually surprised because the way that check was done, all you're doing, you know, recertifying existing votes and, you know, and you were given votes and you just counted them up, and you still found 3,000 that were bad. So that was sort of surprising that it came down to three or five, I don't know. Still a lot of votes. But you have to go back to check from past years with respect to signatures. And if you check with Fulton County, you'll have hundreds of thousands because they dumped ballots into Fulton County and the other county next to it.

So what are we going to do here, folks? I only need 11,000 votes. Fellas, I need 11,000 votes. Give me a break. You know, we have that in spades already. Or we can keep it going, but that's not fair to the voters of Georgia because they're going to see what happened, and they're going to see what happened. I mean, I'll, I'll take on anybody you want with regard to [name] and her lovely daughter, a very lovely young lady, I'm sure. But, but [name] . . . I will take on anybody you want. And the minimum. there were 18.000 ballots. but they





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happened. I mean, I'll, I'll take on anybody you want with regard to [name] and her lovely daughter, a very lovely young lady, I'm sure. But, but [name] . . . I will take on anybody you want. And the minimum, there were 18,000 ballots, but they used them three times. So that's, you know, a lot of votes. And they were all to Biden, by the way, that's the other thing we didn't say. You know, [name] , the one thing I forgot to say, which was the most important. You know that every single ballot she did went to Biden. You know that, right? Do you know that, by the way, Brad?

Every single ballot that she did through the machines at early, early in the morning went to Biden. Did you know that, Ryan?

Germany: That's not accurate, Mr. President.

Trump: Huh. What is accurate?

Germany: The numbers that we are showing are accurate.

Trump: No, about [name] . About early in the morning, Ryan. Where the woman took, you know, when the whole gang took the stuff from under the table, right? Do you know, do you know who those ballots, do you know who they were made out to, do you know who they were voting for?

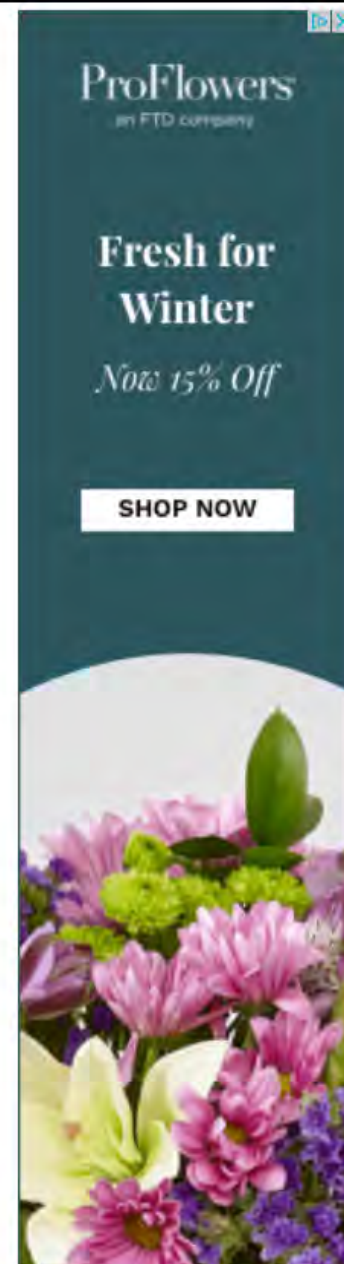
Germany: No, not specifically.

Trump: Did you ever check?

Germany: We did what I described to you earlier —

Trump: No no no — did you ever check the ballots that were scanned by [name] , a known political operative, balloteer? Did ever check who those votes were for?

Germanv: We looked into that situation that you described.





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scanned by [name] , a known political operative, balloteer?

Did ever check who those votes were for?

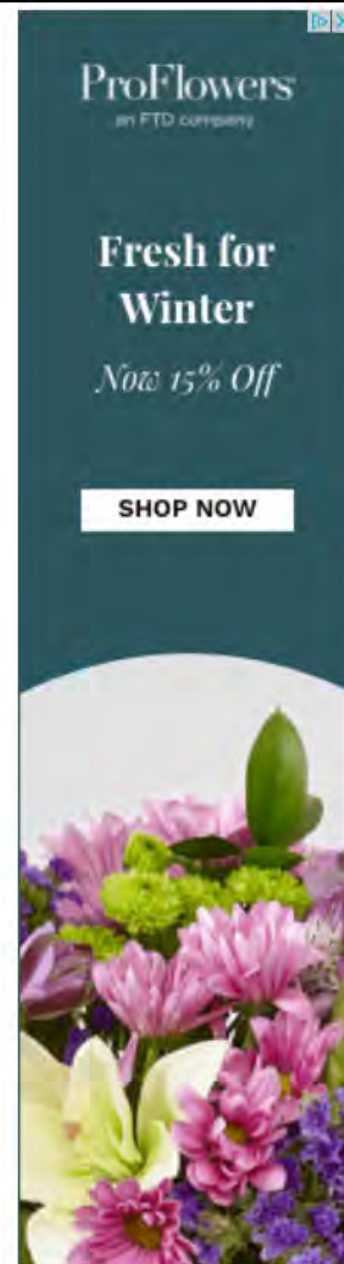
Germany: We looked into that situation that you described.

Trump: No, they were 100 percent for Biden. 100 percent. There wasn't a Trump vote in the whole group. Why don't you want to find this, Ryan? What's wrong with you? I heard your lawyer is very difficult, actually, but I'm sure you're a good lawyer. You have a nice last name.

But, but I'm just curious, why wouldn't, why do you keep fighting this thing? It just doesn't make sense. We're way over the 17,779, right? We're way over that number, and just if you took just [name] , we're over that number by five, five or six times when you multiply that times three.

And every single ballot went to Biden, and you didn't know that, but now you know it. So tell me, Brad, what are we going to do? We won the election, and it's not fair to take it away from us like this. And it's going to be very costly in many ways. And I think you have to say that you're going to reexamine it, and you can reexamine it, but reexamine it with people that want to find answers, not people that don't want to find answers. For instance, I'm hearing Ryan that he's probably, I'm sure a great lawyer and everything, but he's making statements about those ballots that he doesn't know. But he's making them with such — he did make them with surety. But now I think he's less sure because the answer is, they all went to Biden, and that alone wins us the election by a lot. You know, so.

Raffensperger: Mr. President, you have people that submit information, and we have our people that submit information. And then it comes before the court, and the court then has to make a determination. We have to stand by





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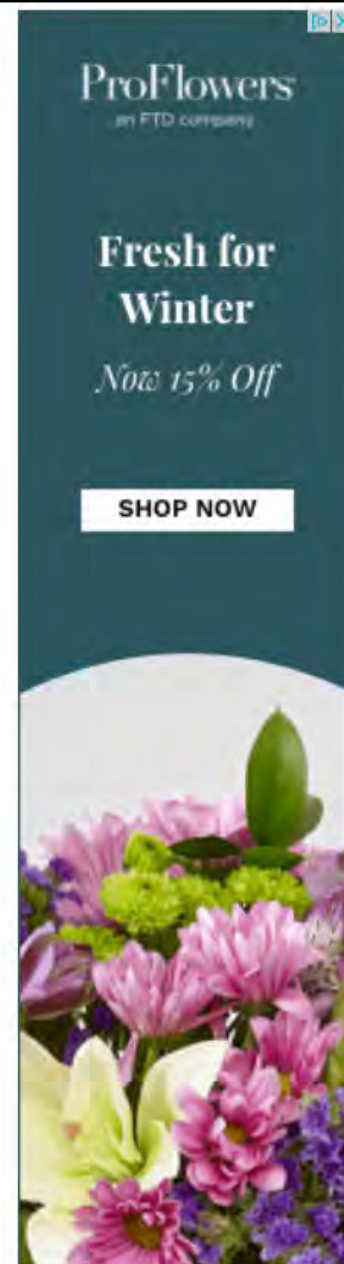
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Raffensperger: Mr. President, you have people that submit information, and we have our people that submit information. And then it comes before the court, and the court then has to make a determination. We have to stand by our numbers. We believe our numbers are right.

Trump: Why do you say that, though? I don't know. I mean, sure, we can play this game with the courts, but why do you say that? First of all, they don't even assign us a judge. They don't even assign us a judge. But why wouldn't you . . . Hey Brad, why wouldn't you want to check out [name]? And why wouldn't you want to say, hey, if in fact, President Trump is right about that, then he wins the state of Georgia, just that one incident alone without going through hundreds of thousands of dropped ballots. You just say, you stick by, I mean I've been watching you, you know, you don't care about anything. "Your numbers are right." But your numbers aren't right. They're really wrong, and they're really wrong, Brad. And I know this phone call is going nowhere other than, other than ultimately, you know — Look, ultimately, I win, okay? Because you guys are so wrong. And you treated this. You treated the population of Georgia so badly. You, between you and your governor, who is down at 21, he was down 21 points. And like a schmuck, I endorsed him, and he got elected, but I will tell you, he is a disaster.

The people are so angry in Georgia, I can't imagine he's ever getting elected again, I'll tell you that much right now. But why wouldn't you want to find the right answer, Brad, instead of keep saying that the numbers are right? 'Cause those numbers are so wrong?

Mitchell: Mr. Secretary, Mr. President, one of the things that we have been, Alex can talk about this, we talked about it, and I don't know whether the information has been conveyed to your office, but I think what the president is





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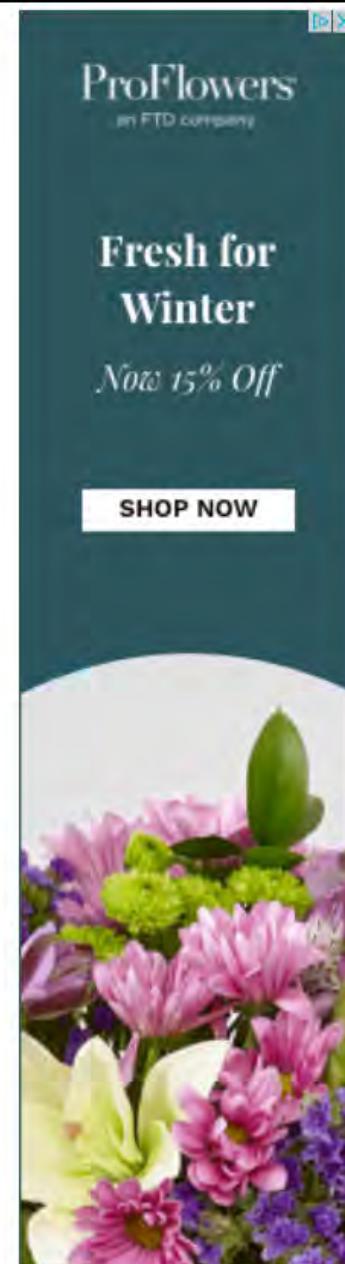


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Mitchell: Mr. Secretary, Mr. President, one of the things that we have been, Alex can talk about this, we talked about it, and I don't know whether the information has been conveyed to your office, but I think what the president is saying, and what we've been trying to do is to say, look, the court is not acting on our petition. They haven't even assigned a judge. But the people of Georgia and the people of America have a right to know the answers. And you have data and records that we don't have access to.

And you can keep telling us and making public statement that you investigated this and nothing to see here. But we don't know about that. All we know is what you tell us. What I don't understand is why wouldn't it be in everyone's best interest to try to get to the bottom, compare the numbers, you know, if you say, because . . . to try to be able to get to the truth because we don't have any way of confirming what you're telling us. You tell us that you had an investigation at the State Farm Arena. I don't have any report. I've never seen a report of investigation. I don't know that is. I've been pretty involved in this, and I don't know. And that's just one of 25 categories. And it doesn't even. And as I, as the president said, we haven't even gotten into the Dominion issue. That's not part of our case. It's not part of, we just didn't feel as though we had any to be able to develop —

Trump: No, we do have a way, but I don't want to get into it. We found a way . . . excuse me, but we don't need it because we're only down 11,000 votes, so we don't even need it. I personally think they're corrupt as hell. But we don't need that. All we have to do, Cleta, is find 11,000-plus votes. So we don't need that. I'm not looking to shake up the whole world. We won Georgia easily. We won it by hundreds of thousands of votes. But if you go by basic, simple numbers, we won it easily, easily. So we're not giving Dominion a pass on the





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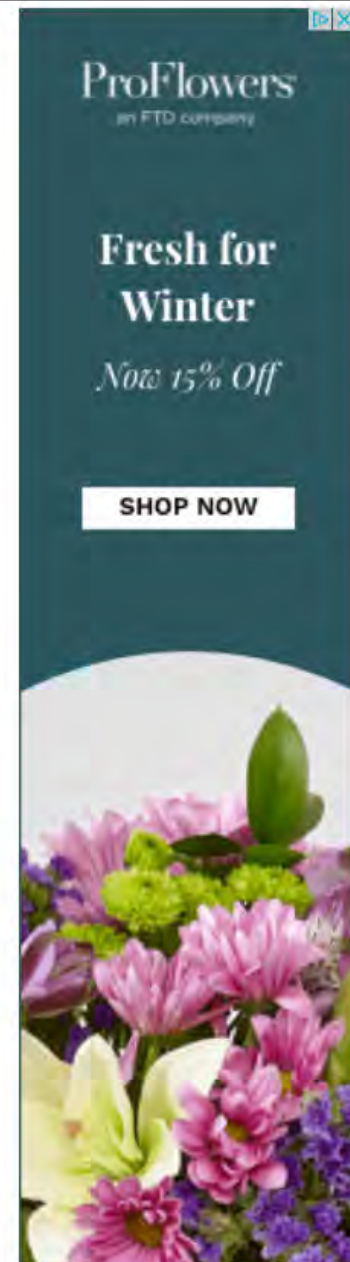
We won Georgia easily. We won it by hundreds of thousands of votes. But if you go by basic, simple numbers, we won it easily, easily. So we're not giving Dominion a pass on the record. We don't need Dominion because we have so many other votes that we don't need to prove it any more than we already have.

Hilbert: Mr. President and Cleta, this is Kurt Hilbert, if I might interject for a moment. Ryan, I would like to suggest that just four categories that have already been mentioned by the president that have actually had numbers of 24,149 votes that were counted illegally. That in and of itself is sufficient to change the results or place the outcome in doubt. We would like to sit down with your office, and we can do it through purposes of compromise and just like this phone call, just to deal with that limited category of votes. And if you are able to establish that our numbers are not accurate, then fine. However, we believe that they are accurate. We've had now three to four separate experts looking at these numbers.

Trump: Certified accountants looked at them.

Hilbert: Correct. And this is just based on USPS data and your own secretary of state data. So that's what we would entreat and ask you to do, to sit down with us in a compromise and settlements proceeding and actually go through the registered voter IDs and the registrations. And if you can convince us that 24,149 is inaccurate, then fine. But we tend to believe that is, you know, obviously more than 11,779. That's sufficient to change the results entirely in and of itself. So what would you say to that, Mr. Germany?

Germany: I'm happy to get with our lawyers, and we'll set that up. That number is not accurate. And I think we can show you, for all the ones we've looked at, why it's not. And





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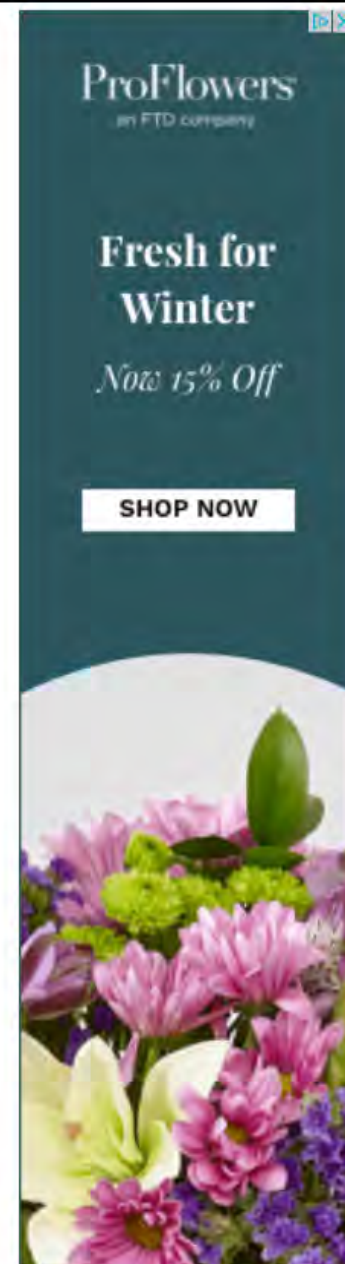
Germany: I'm happy to get with our lawyers, and we'll set that up. That number is not accurate. And I think we can show you, for all the ones we've looked at, why it's not. And so if that would be helpful, I'm happy to get with our lawyers and set that up with you guys.

Trump: Well, let me ask you, Kurt, you think that is an accurate number. That was based on the information given to you by the secretary of state's department, right?

Hilbert: That is correct. That information is the minimum, most conservative data based upon the USPS data and the secretary of state's office data that has been made publicly available. We do not have the internal numbers from the secretary of state. Yet we have asked for it six times. I sent a letter over to . . . several times requesting this information, and it's been rebuffed every single time. So it stands to reason that if the information is not forthcoming, there's something to hide. That's the problem that we have.

Germany: Well, that's not the case, sir. There are things that you guys are entitled to get. And there's things that under law, we are not allowed to give out.

Trump: Well, you have to. Well, under law, you're not allowed to give faulty election results, okay? You're not allowed to do that. And that's what you done. This is a faulty election result. And honestly, this should go very fast. You should meet tomorrow because you have a big election coming up, and because of what you've done to the president — you know, the people of Georgia know that this was a scam — and because of what you've done to the president, a lot of people aren't going out to vote. And a lot of Republicans are going to vote negative because they hate what you did to the president. Okay? They hate it. And they're going to vote. And





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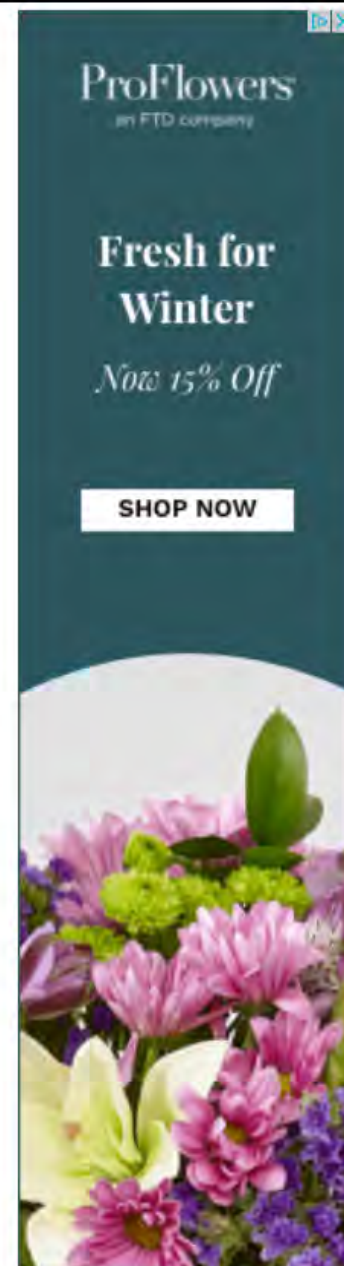
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people aren't going out to vote. And a lot of Republicans are going to vote negative because they hate what you did to the president. Okay? They hate it. And they're going to vote. And you would be respected. Really respected, if this thing could be straightened out before the election. You have a big election coming up on Tuesday. And I think that it is really is important that you meet tomorrow and work out on these numbers. Because I know, Brad, that if you think we're right, I think you're going to say, and I'm not looking to blame anybody, I'm just saying, you know, and, you know, under new counts, and under new views, of the election results, we won the election. You know? It's very simple. We won the election. As the governors of major states and the surrounding states said, there is no way you lost Georgia. As the Georgia politicians say, there is no way you lost Georgia. Nobody. Everyone knows I won it by hundreds of thousands of votes. But I'll tell you it's going to have a big impact on Tuesday if you guys don't get this thing straightened out fast.

Meadows: Mr. President, this is Mark. It sounds like we've got two different sides agreeing that we can look at those areas, and I assume that we can do that within the next 24 to 48 hours, to go ahead and get that reconciled so that we can look at the two claims and making sure that we get the access to the secretary of state's data to either validate or invalidate the claims that have been made. Is that correct?

Germany: No, that's not what I said. I'm happy to have our lawyers sit down with Kurt and the lawyers on that side and explain to him, hey, here's, based on what we've looked at so far, here's how we know this is wrong, this is wrong, this is wrong, this is wrong, this is wrong.

Meadows: So what you're saying, Ryan, let me let me make sure . . . so what you're saying is you really don't want to give



wrong, this is wrong, this is wrong.

Meadows: So what you're saying, Ryan, let me let me make sure . . . so what you're saying is you really don't want to give access to the data. You just want to make another case on why the lawsuit is wrong?

Germany: I don't think we can give access to data that's protected by law. But we can sit down with them and say —

Trump: But you're allowed to have a phony election? You're allowed to have a phony election, right?

Germany: No, sir.

Trump: When are you going to do signature counts, when are you going to do signature verification on Fulton County, which you said you were going to do, and now all of a sudden, you're not doing it. When are you doing that?

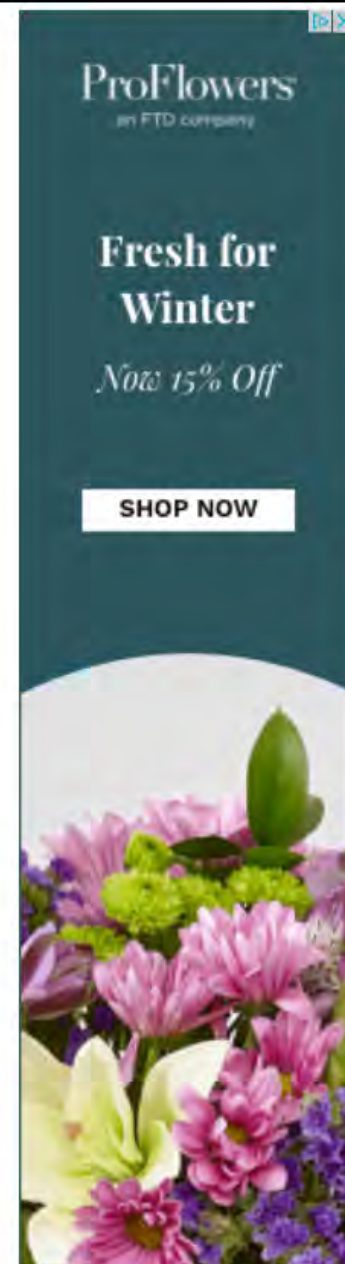
Germany: We are going to do that. We've announced —

Hilbert: To get to this issue of the personal information and privacy issue, is it possible that the secretary of state could deputize the lawyers for the president so that we could access that information and private information without you having any kind of violation?

Trump: Well, I don't want to know who it is. You guys can do it very confidentially. You can sign a confidentiality agreement. That's okay. I don't need to know names. But on this stuff that we're talking about, we got all that information from the secretary of state.

Meadows: Yeah. So let me let me recommend, Ryan, if you and Kurt will get together, you know, when we get off of this phone call, if you could get together and work out a plan to

address some of what we've got with your attorney, where we





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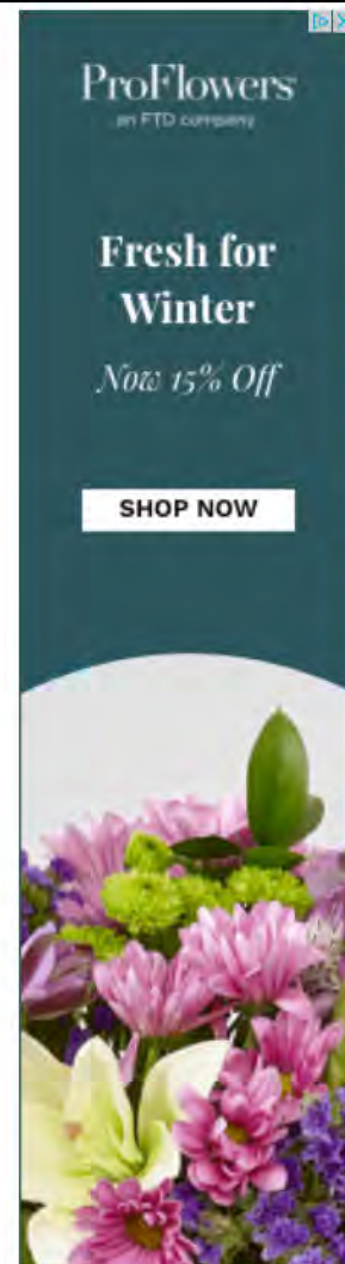
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Meadows: Yeah. So let me let me recommend, Ryan, if you and Kurt will get together, you know, when we get off of this phone call, if you could get together and work out a plan to address some of what we've got with your attorneys where we can we can actually look at the data. For example, Mr. Secretary, I can you say they were only two dead people who would vote. I can promise you there are more than that. And that may be what your investigation shows, but I can promise you there are more than that. But at the same time, I think it's important that we go ahead and move expeditiously to try to do this and resolve it as quickly as we possibly can. And if that's the good next step. Hopefully we can, we can finish this phone call and go ahead and agree that the two of you will get together immediately.

Trump: Well, why don't my lawyers show you where you got the information. It will show the secretary of state, and you don't even have to look at any names. We don't want names. We don't care. But we got that information from you. And Stacey Abrams is laughing about you. She's going around saying these guys are dumber than a rock. What she's done to this party is unbelievable, I tell you. And I only ran against her once. And that was with a guy named Brian Kemp, and I beat her. And if I didn't run, Brian wouldn't have had even a shot, either in the general or in the primary. He was dead, dead as a doornail. He never thought he had a shot at either one of them. What a schmuck I was. But that's the way it is. That's the way it is. I would like you . . . for the attorneys . . . I'd like you to perhaps meet with Ryan, ideally tomorrow, because I think we should come to a resolution of this before the election. Otherwise you're going to have people just not voting. They don't want to vote. They hate the state, they hate the governor, and they hate the secretary of state. I will tell you that right now. The only people that like you are people that will never vote for you. You know that Brad right? They





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voting. They don't want to vote. They hate the state, they hate the governor, and they hate the secretary of state. I will tell you that right now. The only people that like you are people that will never vote for you. You know that, Brad, right? They like you, you know, they like you. They can't believe what they found. They want more people like you. So, look, can you get together tomorrow? And, Brad, we just want the truth. It's simple.

And everyone's going to look very good if the truth comes out. It's okay. It takes a little while, but let the truth come out. And the real truth is, I won by 400,000 votes. At least. That's the real truth. But we don't need 400,000 votes. We need less than 2,000 votes. And are you guys able to meet tomorrow, Ryan?

Germany: I'll get with Chris, the lawyer who's representing us in the case, and see when he can get together with Kurt.

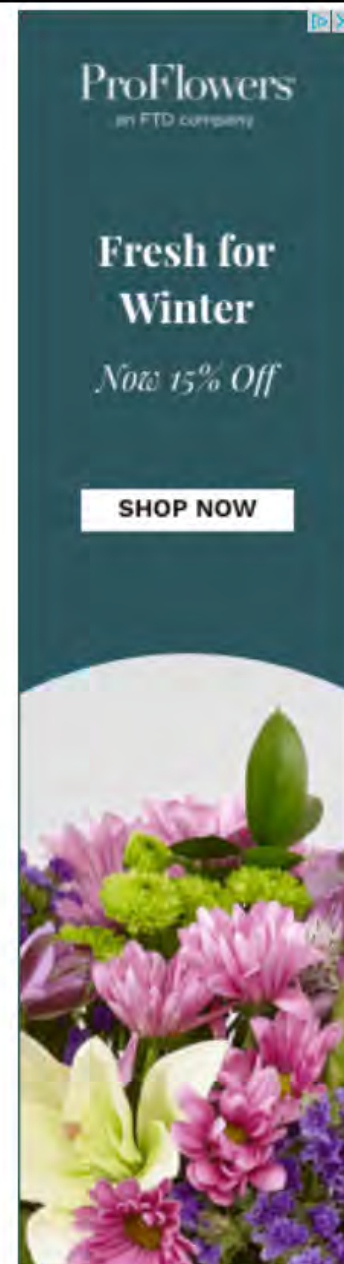
Raffensperger: Ryan will be in touch with the other attorney on this call, Mr. Meadows. Thank you, President Trump, for your time.

Trump: Okay, thank you, Brad. Thank you, Ryan. Thank you. Thank you, everybody. Thank you very much. Bye.

An earlier version of the full audio of Trump's call inadvertently left in a reference to an individual about whom he has made unsubstantiated claims. It has since been updated.

Complete coverage: The Trump-Raffensperger call

Updated January 5,
2021



Complete coverage: The Trump-Raffensperger call

Updated January 5,
2021

Story: In extraordinary hour-long call, Trump pressures Georgia secretary of state to recalculate the vote in his favor

Here's the **full transcript and audio** of the call between Trump and Raffensperger

Fact-checking Trump's call to the Georgia secretary of state

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Amy Gardner

Amy Gardner joined The Washington Post in 2005. She has worked stints in the Virginia suburbs, covered the 2010 midterms and the tea party revolution, and covered the Republican presidential nominating contest in 2011-2012. She was a politics editor for five years and returned to reporting in 2018. Follow [🐦](#)

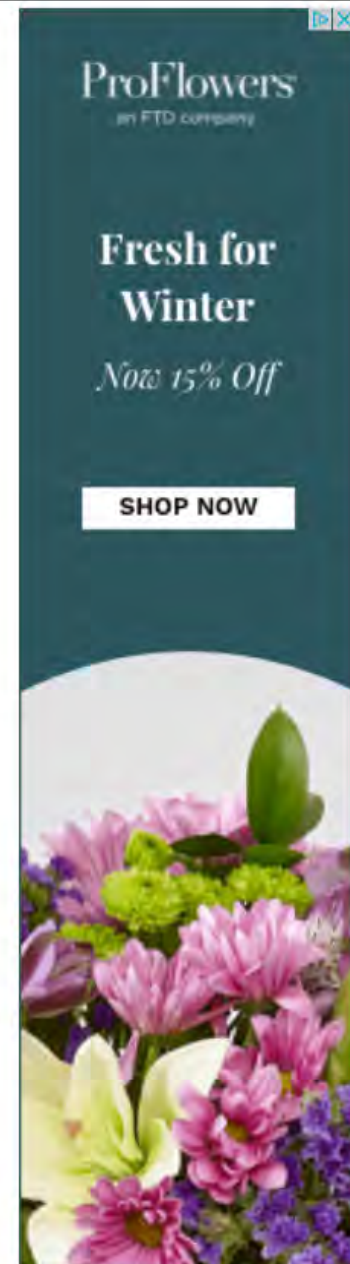


Paulina Firozi

Paulina Firozi is a reporter covering national and breaking news. She joined The Washington Post in 2017 and was previously a researcher for PowerPost's The Health 202 and The Energy 202 newsletters. Follow [🐦](#)

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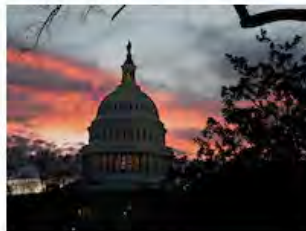


Analysis

Two Republican lawyer-senators look for loopholes in democracy



Growing number of Trump loyalists in the Senate vow to challenge Biden's victory



In ad, lawmaker vows to carry her Glock around D.C. and on Hill



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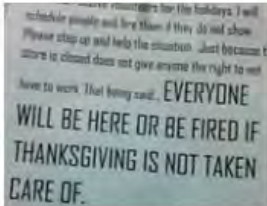
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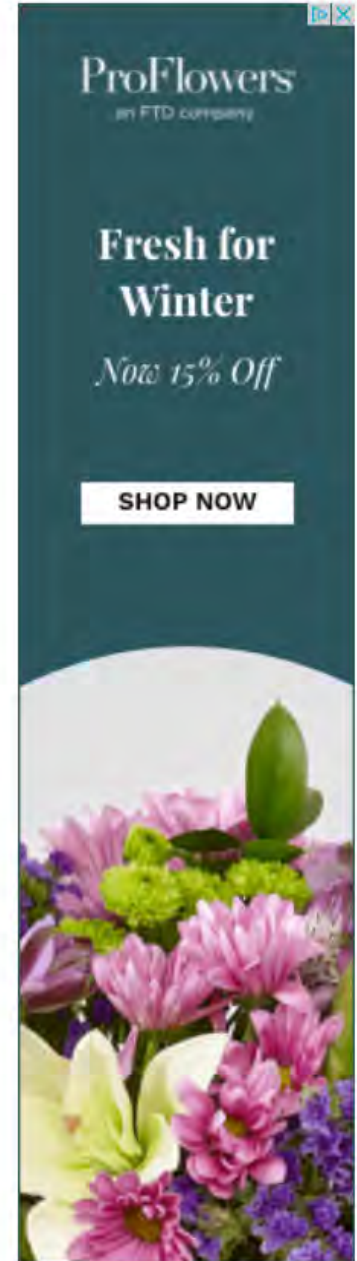
20 Historical Events That Never Actually Happened

Past Factory

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All Comments (5.7k)

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**Dan Sizemore** 2 minutes ago

Raffensperger: Mr. President, the problem you have with social media, they — people can say anything.

Trump: Oh this isn't social media. This is Trump media.

Me: LOL

Like Reply Link Report

**WonderfulWorld** 5 minutes ago

Respect to Raffensberg and Germany for never screaming 'Oh, jeez, just shut up!'

My brain hurts from reading Trump's baffling BS...having to listen to it delivered in that 'glue pouring from a keg' voice would send me round the twist.

Like Reply Link Report

**Bluewaterdream** 5 minutes ago (Edited)

The real story is here:

You don't need much of a number because the number that in theory I lost by, the margin would be 11,779. But you also have a substantial numbers of people, thousands and thousands, who went to the voting place on November 3, were told they couldn't vote, were told they couldn't vote because a ballot had been put on their name. And you know that's very, very, very, very sad. We had, I believe it's about 4,502 voters who voted but who weren't on the voter registration list, so it's 4,502 who voted, but they weren't on the voter registration roll, which they had to be. You

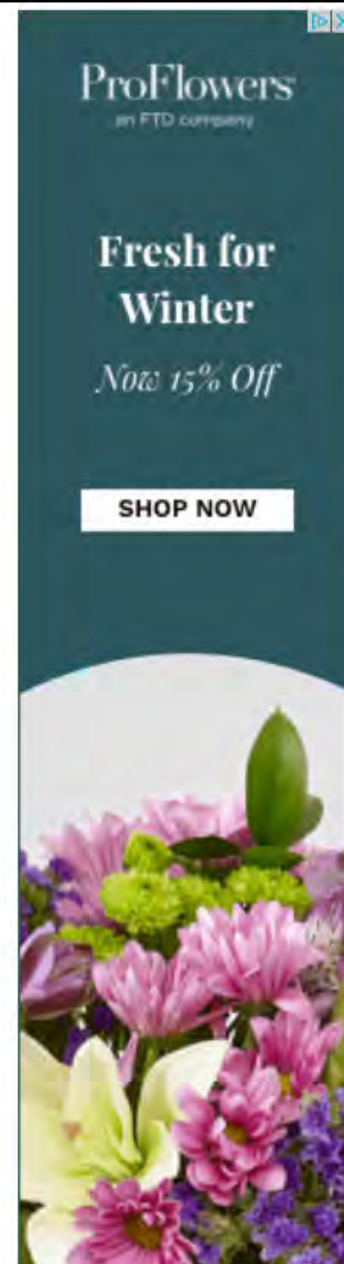


Exhibit 5

The Washington Post
Democracy Dies in Darkness

Sections

chandler.alexise

2 BILLION REASONS TO STAY HOME AND BINGE

Politics • Context

Read Dominion Voting System's complaint against lawyer Sidney Powell

Updated Jan 8, 2021 at 10:44 AM

Dominion Voting Systems filed a defamation lawsuit against lawyer Sidney Powell, demanding more than \$1.3 billion in damages for havoc it says Powell has caused by spreading "wild" and "demonstrably false" allegations, including that Dominion played a central role in a fantastical scheme to steal the 2020 election from President Trump.

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DOMINION VOTING SYSTEMS, INC.
1201 18th Street, Suite 210
Denver, CO 80202, and

DOMINION VOTING SYSTEMS
CORPORATION
1201 18th Street, Suite 210
Denver, CO 80202,

Plaintiffs,

v.

SIDNEY POWELL
3831 Turtle Creek Boulevard, Unit 5B
Dallas, TX 75219,

SIDNEY POWELL, P.C.
2911 Turtle Creek Boulevard, #300
Dallas, TX 75219, and

DEFENDING THE REPUBLIC, INC.
2911 Turtle Creek Boulevard #300
Dallas, TX 75219,

Defendants.

Case No. _____

COMPLAINT AND DEMAND FOR JURY TRIAL

1. This defamation action arises from statements made by Sidney Powell, who—acting in concert with allies and media outlets determined to promote a false preconceived narrative about the 2020 election—caused unprecedented harm. During a Washington, D.C. press conference, a Georgia political rally, and a media blitz, Powell falsely claimed that Dominion had rigged the election, that Dominion was created in Venezuela to rig elections for Hugo Chávez, and that Dominion bribed Georgia officials for a no-bid contract.

1

Case 1:21-cv-00040 Document 1 Filed 01/08/21 Page 2 of 124

2. Powell's wild accusations are demonstrably false. Far from being created in Venezuela to rig elections for a now-deceased Venezuelan dictator, Dominion was founded in Toronto for the purpose of creating a fully auditable paper-based vote system that would empower people with disabilities to vote independently on verifiable paper ballots. As it grew, Dominion developed technology to solve many of the technical and voter intent issues that came to light as a result of the 2000 Presidential Election. Its systems are certified under standards promulgated by the U.S. Election Assistance Commission ("EAC"), reviewed and tested by independent testing laboratories accredited by the EAC and were designed to be auditable and include a paper ballot

Summary

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Perspective

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Mom doesn't know how to react to son and daughter-in-law's revelation.

11 hours ago



Amid uproar for saying women talk too much at meetings, Tokyo Olympic chief apologizes but refuses to resign

Yoshiro Mori expressed "remorse" for the remarks — that also brought scorn from his wife.

4 days ago



Analysis

Some police deaths are more worrisome to Fox News than others

The cable network barely mentioned President Biden's visit to the Capitol to honor an officer killed on Jan. 6.

5 days ago

Exhibit 314



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THOMAS A. CLARE, P.C.

MEGAN L. MEIER

February 4, 2021

Via Email & Federal Express

Mike Lindell
Founder and CEO
My Pillow, Inc.
343 E 82nd Str #102
Chaska, MN 55318
mlindell@mypillow.com

Re: False Claims About Dominion

Mr. Lindell:

For months, you have been lying about Dominion in order to financially enrich yourself and My Pillow, Inc. by selling more MyPillow products to Trump supporters who tuned in or attended rallies because they wanted to hear that the election had been stolen and that Trump would have another term in office.¹ In support of your defamatory marketing campaign—which we understand has boosted your sales considerably—you have repeatedly claimed to have “evidence” and “100% proof” of your false claims. But you have never produced any real evidence because it doesn’t exist.

Recently, you announced your intention to release a “documentary” with the “evidence” of your false claims about Dominion. We write to put you on formal written notice of the facts so that there is absolutely no doubt at a future date about what was known to you before you published that documentary. As set forth in Dominion’s complaint and exhibits against Sidney Powell (which we sent you on January 8) and Dominion’s complaint and exhibits against Rudy Giuliani (which we have attached),² purported “evidence” that has previously been put forward in support of false claims about Dominion was manufactured, misrepresented, and cherry picked by unreliable sources. These people lack any relevant expertise about voting machines and election security, and they are determined to promote a false preconceived narrative about the 2020 election. In light of this, you are well aware that there are countless people willing to put forward fake “evidence” of fraud in the 2020 election and that any “evidence” must therefore be carefully scrutinized for reliability *before* you choose to broadcast it to a global internet audience.

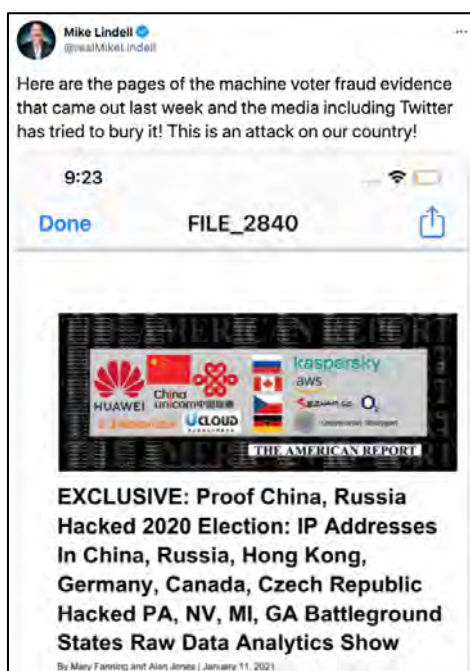
¹ “Dominion” refers to US Dominion Inc. and its subsidiaries, Dominion Voting Systems, Inc. and Dominion Voting Systems Corporation.

² A copy of the Giuliani Complaint is available here: <https://www.washingtonpost.com/context/dominion-voting-systems-defamation-lawsuit-against-lawyer-rudy-giuliani/91600fbd-9526-46ef-b951-b6f9b89950fc/>.

I. Despite Knowing Your Claims About Dominion Are False, You Doubled Down on Your Smear Campaign and Promoted Fabricated Evidence to Support Your Accusations.

Independent audits, hand recounts of paper ballots, bipartisan governmental officials, Trump's Department of Justice, local election officials, election security experts, and high-profile Trump loyalists have repeatedly, forcefully, and publicly disproven and rebutted the false claim that Dominion machines were hacked or that Dominion flipped, weighted, or otherwise manipulated vote counts to steal the 2020 election.

Purposefully disregarding the paper ballot recounts and knowledgeable sources, you have continued to falsely accuse Dominion on the basis of facially unreliable sources and nonsense from the dark corners of the internet. For instance, you tweeted disinformation from a blog known for promoting conspiracy theories, writing: "Here are the pages of the machine voter fraud evidence that came out last week and the media including Twitter has tried to bury it! This is an attack on our country."³ Your tweet included a document with the headline "EXCLUSIVE: Proof China, Russia Hacked 2020 Election: IP Addresses in China, Russia, Hong Kong, Germany, Canada, Czech Republic Hacked PA, NV, MI, GA Battleground States Raw Data Analytics Show."⁴ This January 11 story from *The American Report* purports to list "[r]aw data analytics *exclusively* obtained by *The American Report* show[ing] that during the 2020 presidential election" random IP addresses across the globe hacked into IP addresses in four key battleground states.



³ Mike Lindell (@MikeLindell), Twitter (Jan. 15, 2021), available at <https://twitter.com/realMikeLindell/status/1350297812668477441>.

⁴ Mary Fanning and Alan Jones, *EXCLUSIVE: Proof China, Russia Hacked 2020 Election: IP Addresses in China, Russia, Hong Kong, Germany, Canada, Czech Republic Hacked PA, NV, MI, GA Battleground States Raw Data Analytics Show*, *The American Report* (Jan. 11, 2021), available at, <https://theamericanreport.org/2021/01/11/exclusive-proof-china-russia-hacked-2020-election-ip-addresses-in-china-russia-hong-kong-germany-canada-czech-republic-hacked-pa-nv-mi-ga-battleground-states-raw-data-analytics-show/>.

But the story you posted doesn't contain any details about how the supposed hacking took place. The story also does not say that votes were "flipped." The story does mention Alibaba founder Jack Ma before discussing the "Soviet military intelligence service," and also naming "Amazon Data Services" without explaining why. And while the story falsely states that "Dominion Voting Services is based in Toronto,"—it is based in Denver, Colorado—it does not contain any reference to machine voter fraud.

Near the end of the story, the purported "raw data analytics" appear in a pixelated pdf of a spreadsheet embedded to the page as a shareable Pinterest pin. The pdf contains fields purporting to show IP addresses of election hackers and their targets, locations of allegedly compromised machines, the time each hack allegedly took place, and the number of votes that were allegedly stolen from Donald Trump.

Notably, while the native spreadsheet itself would contain metadata revealing highly relevant information about its creation (when the spreadsheet was created, *etc.*) the spreadsheet was converted into a pdf, concealing data about its creation. Nor does the story itself reveal any information about who created the spreadsheet—the implication is that it's from an expert in voting machines or election security, but it could have been created by a Trump supporter with no experience in voting machines or election security, or a hostile foreign actor looking to undermine confidence in the American election—or their expertise or motives for doing so. This alone is a giant red flag signaling that the spreadsheet is not reliable and that its creator wanted to conceal its origins.

Further adding to the implausibility of the story, *The American Report's* theory appears to be that votes were tampered with at transfer points of the state election computer system and external third-party data election result vaults. But this theory is nonsensical. **First**, votes are first captured at the local level, and then precincts report their votes to the state. If hacking had taken place at the state level, it would have been detected because those numbers are verified by the local results and documented on paper ballots. **Second**, every ballot tabulator is required by law to produce a paper printout summarizing the vote totals for the ballots it counted. So if fraud had affected the reporting process, it would have been detected by reviewing the paper printouts from the tabulators.

Turning back to the "raw data analytics" you tweeted, even they do not support your claims. The pdf identifies a total of 56,395 votes that were supposedly stolen from Donald Trump. Even if the pdf were accurate—it isn't—the number of votes at issue would not have changed the outcome of the election. Other obvious problems in the pdf include:

- The "deleted votes" would not have changed the winner of the election. Even assuming the pdf were correct, the electoral votes in favor of Trump would total 248, which is 22 votes short of the 270 required for victory.
- Of the 13 purported "hacks," only one instance of supposed vote switching would have changed the candidate who received the most votes in any given county. That locality is Leelanau County, Michigan, where 8,795 votes were cast in favor of Biden, and 7,916 were cast for Trump.
- Almost 20% of the counties listed in the pdf did not even use Dominion machines in the 2020 election.

- It alleges that 1,108 votes were stolen from Trump in Luce County, Michigan, and switched to Biden. In reality, Trump received the majority of votes in this county, and Biden's vote total was only 556 – approximately half the number of votes that were supposedly switched to him.
- Trump received the majority of votes in four of the counties where the pdf purports to show votes being stolen: Churchill County, Nevada; Douglas County, Nevada; Luce County, Michigan; and Coweta County, Georgia.
- One of the “targets” that supposedly owned the relevant machines was the “Secretary of state offices.” As a preliminary matter, voting machines are in local voting precincts and not the state official. Moreover, this target is the only one without an IP address listed – a series of asterisks is present in the IP address field.

II. Proven Liars, Conspiracy Theorists, and Non-Experts Are Not Reliable Sources of Information.

Despite constantly stating that you have “done [your] due diligence,” and “seen the evidence” yourself, the only evidence you have ever delivered is the nonsensical and facially unreliable *American Report*.⁵ Indeed, after an interview with NBC News, when asked if you could produce *any* evidence, you replied: “All the evidence against Dominion is before the Supreme Court . . . Here is one page of the proof.”⁶ NBC reported that “[t]he email did not include an attachment. When asked if the omission was a mistake, you sent another email with an empty attachment and a third with screenshots of illegible text.”⁷

Later you said that you “helped to organize some of the leading experts” to include in your “big documentary” about Dominion. Because there is no legitimate evidence, we understand that you are planning to amplify perjurers, con artists, non-experts, and other facially unreliable sources in support of your false and defamatory marketing campaign. And although you have not disclosed which experts you plan to feature in your glorified MyPillow infomercial, facts readily available to you demonstrate the obvious and facial unreliability of those who have propagated falsehoods about Dominion:

1. **Russell Ramsland.** Russell Ramsland is a “Deep State” conspiracy theorist in cahoots with Sidney Powell who was selected not because Ramsland has election security expertise, but because he was committed to promoting the false preconceived narrative that the election had been fixed. Ramsland has been peddling “rigged election” conspiracy theories for years. And he has publicly claimed, among other things, that

⁵ See e.g., Newsmax, *Mike Lindell to Newsmax TV: ‘President Trump will Prevail’* (Dec. 17, 2020), available at, <https://www.newsmax.com/newsmax-tv/mike-lindell-election-fraud-mypillow-ceo/2020/12/17/id/1002145/> (“I know what evidence is out there, plus I’ve done my own due diligence.”); The Victory Channel, *FlashPoint: Stand Firm! Mike Lindell, Hank Kunneman and Mario Murillo* (Dec. 23, 2020), available at, <https://www.youtube.com/watch?v=kPhpPLknnmBw> (“What I’ve seen and what I know ... I declare this, just go get the machines.”).

⁶ Elisha Fieldstadt, *My Pillow CEO Mike Lindell says products were dropped from major retailers after voter fraud claims*, NBC News (Jan. 19, 2021), available at, <https://www.nbcnews.com/news/us-news/my-pillow-ceo-mike-lindell-says-products-were-dropped-major-retailers-n1254676>

⁷ *Id.*

George Soros helped form the “Deep State” in Nazi Germany in the 1930s—along with President George H.W. Bush’s father, the Muslim Brotherhood, and “leftists.”⁸ Mr. Soros was born in 1930.

Before he released his nonsense “forensics report,” Ramsland had been publicly discredited for making false claims of overvoting in Michigan, which Ramsland based on vote counts from an entirely different state—Minnesota.⁹ Indeed, a Delaware judge determined that Ramsland provided “materially false information” in support of his claims of vote manipulation¹⁰ when he referenced and cited locations in Minnesota when alleging voter fraud in Michigan—something that is readily verifiable through a basic Google search.¹¹

Ramsland’s so-called “forensics report” of the Dominion machines in Antrim County, Michigan, contains a staggering number of inaccuracies; obvious misunderstandings of election procedures, hardware, and software; and other indicia of unreliability. Even though Ramsland cites to “experts” upon whom he purportedly relied in creating his report, he does not identify a single one. Nor does he identify any of their credentials or prior experience—other than the vaguest reference to a handful of government agencies—to justify their designation as “experts.”¹² And Ramsland does not identify any experience that he, or any of his so-called “experts,” have in elections or election hardware or software. The rag-tag team of “experts” associated with Ramsland don’t have any relevant experience analyzing voting machines or vote tabulations. A Republican county clerk in Michigan complained about one of Ramsland’s team members—who runs a brewery outside of Austin after working as an account manager at a pharmaceutical company—for failing to “understand how election results are updated on county websites.”¹³

Additionally, Ramsland references the “allowable election error rate established by the Federal Election Commission.” The Federal Election Commission does not regulate voting machines or software. It regulates campaign finance.¹⁴ Ramsland confused—or

⁸ John Savage, *Texas Tea Partiers Are Freaking Out Over ‘Deep State’ Conspiracy Theories*, Vice (Sept. 20, 2018), available at, <https://www.vice.com/en/article/mbwgxx/texas-tea-partiers-are-freaking-out-over-deep-state-conspiracy-theories>.

⁹ Clara Hendrickson, *Affidavit in Michigan lawsuit seeking to overturn election makes wildly inaccurate claims about vote*, PolitiFact (Dec. 4, 2020), available at, <https://www.politifact.com/factchecks/2020/dec/04/russell-james-ramsland-jr/affidavit-michigan-lawsuit-seeking-overturn-electi/>; see also, Louis Jacobson & Noah Y. Kim, *Giuliani cites affidavit with crucial errors in press conference*, PolitiFact (Nov. 20, 2020), available at, <https://www.politifact.com/factchecks/2020/nov/20/rudy-giuliani/giuliani-cites-affidavit-crucial-errors-press-conf/>.

¹⁰ Rule to Show Cause, *Page v. Oath Inc.*, No. S20C-07-030 (Del. Super. Ct. Dec. 18, 2020).

¹¹ Hendrickson, n. 9.

¹² Pet. Notice of Suppl. Authority, *King v. Whitmer*, No. 20-815 (S. Ct. Dec. 13, 2020), available at, https://www.supremecourt.gov/DocketPDF/20/20-815/163875/20201215164905775_Final%20Michigan%20Notice%20of%20Supplemental%20Authority.pdf.

¹³ Craig Mauger, *Why 8 claims from Rudy Giuliani’s Michigan witnesses don’t add up*, The Detroit News (Dec. 4, 2020), available at <https://www.detroitnews.com/story/news/politics/2020/12/04/why-8-claims-rudy-giulianis-michigan-witnesses-dont-add-up/3824210001/>.

¹⁴ *Mission and history*, FEC, available at, <https://www.fec.gov/about/mission-and-history/>.

did not bother to research the differences between—the FEC and the EAC.¹⁵ Dominion’s election voting system suite is, of course, certified by the EAC.¹⁶

Apart from these red flags indicating he is no expert at all, Ramsland also illustrates a gross misunderstanding of the machines and software in the details of his report. For example, he claims that his “forensics team” “perform[ed a] forensic duplication of the Antrim County Election Management Server running Dominion Democracy Suite 5.5.3-002.” But there is no Democracy Suite 5.5.3-002. Instead, 5.5.3-002 is the version of the ImageCast Precinct tabulator (i.e., the actual scanner), not the election management server or software.¹⁷ This demonstrates that Ramsland is incapable of telling the difference between the relevant hardware, software, and servers involved—or that he simply did not take care to do so. Ramsland also fails to understand the difference between—or he intentionally distorted—adjudication software (which is an optional component of Dominion’s voting system suite) and the process of adjudicating a ballot. In fact, Antrim County only purchased (and therefore only used) certain components of Dominion’s voting system suite; critically, Antrim County neither purchased nor used—nor possessed the hardware required to use—the adjudication software.¹⁸ This did not prevent Ramsland from falsely claiming that “[b]allots sent to adjudication can be altered by administrators,” and that “all adjudication log entries for the 2020 election cycle are missing” and must have been “manually removed.”

And Ramsland’s specific claim of a 68% “error rate” evidences a fundamental misunderstanding of election software. Ramsland claims to have used the tabulation logs as the source for his supposed “error rate.” But the tabulation logs do not reflect the machine’s tabulation of votes. They record activities logged by the machine during the tabulation process.¹⁹ So Ramsland’s claim that “these ... tabulation totals were used as the official results” is false (because they are a recording of machine activity, not votes). Simply put, Ramsland does not understand what he is seeing.

While Ramsland claims that a huge percentage of machine activity reflected in the tabulation logs were “errors” or “warnings,” he gives no explanation of how he identified or defined an “error” or “warning.” Ramsland references three settings—“reverse,” “divert,” and “override”—as examples of these so-called “critical errors” or “warnings.” But these are not “errors.” They are parameters used in the tabulator to handle ballots that—for example—include write-in candidates or ballots that contain votes for two candidates for the same office. Calling these “errors” is analogous to claiming that the low fuel indicator light turning on in a car is an “error”—it is of course

¹⁵How the U.S. Election Assistance Commission Facilitates Fair and Secure Elections, EAC, available at, <https://www.eac.gov/news/2020/12/03/how-us-election-assistance-commission-facilitates-fair-and-secure-elections/>.

¹⁶ Certificate of Conformance, EAC (Sept. 14, 2018), available at, https://www.eac.gov/sites/default/files/voting_system/files/DSuite55_CertConf_Scope%28FINAL%29.pdf.

¹⁷ Declaration of Ryan Macias, FactCheck.org, available at, https://cdn.factcheck.org/UploadedFiles/Rebuttal_ASOG-Antrim_Report.pdf.

¹⁸ *Id.*

¹⁹See Paul Egan & Clara Hendrickson, *Trump tweet wrongly suggests there were defects with Michigan voting machines*, The Detroit Free Press (Dec. 15, 2020), available at, <https://www.freep.com/story/news/politics/elections/2020/12/15/trump-fact-check-defect-voting-machines-michigan/3902951001/>.

not an error; the car is operating precisely how it is supposed to. Similarly, just because the tabulator recorded, for example, “divert” does not mean that there was error with the ballot or the vote; precisely the opposite—it means that the machine operated properly in response to that ballot.²⁰ This is even more evidence that Ramsland does not understand—or that he did not take care to distinguish—the difference between an actual error and proper functioning.

Other people who are actually knowledgeable about election security and procedures in Antrim County promptly, publicly, and forcefully rebutted Ramsland’s report. Antrim County officials determined—and publicly announced—that Ramsland’s report was “riddled with false and unsupported claims, baseless attacks, and incorrect use of technical terms.”²¹ Similarly, the former acting director of the EAC’s Voting System Testing and Certification program said that Ramsland’s report showed a “grave misunderstanding” of Antrim County’s voting system and “a lack of knowledge of election technology and process.”²² Michigan’s Attorney General and Secretary of State issued a joint statement that Ramsland’s report was “critically flawed, filled with dramatic conclusions without any evidence to support them.”²³ The Republican county clerk who made the mistake that resulted in the inaccurate unofficial results stated that Ramsland’s report contained “many misleading statements” and was “simply not accurate.”²⁴

2. **Patrick Byrne.** Byrne was previously the CEO of Overstock.com, but abruptly resigned his board seat and position as CEO after it was revealed that he had had a romantic affair with the now-notorious Russian agent, Maria Butina, who was sentenced to 18 months in prison after being indicted by federal prosecutors for trying to infiltrate powerful political circles in the United States at the direction of the Russian government.²⁵ In 2016, a judge issued a \$1 million judgment against Byrne after he was sued for defamation.
3. **The affidavit—and repurposed affidavit—of Josh Merritt aka “Spyder.”** Josh Merritt, a top-secret witness code-named “Spyder” by Sidney Powell, knowingly signed, under penalty of perjury, an admittedly “misleading” declaration (that he “was trying to

²⁰ Angelo Fichera, *Audit in Michigan County Refutes Dominion Conspiracy Theory*, FactCheck.org (Dec. 18, 2020), available at, <https://www.factcheck.org/2020/12/audit-in-michigan-county-refutes-dominion-conspiracy-theory/>.

²¹ See Ali Swenson, *Report spreads debunked claims about Dominion machines in Michigan county*, Associated Press (Dec. 15, 2020), available at, <https://apnews.com/article/fact-checking-afs:Content:9847904839>.

²² See Todd Spangler, *Former election security chief for Trump knocks down Antrim County report*, The Detroit Free Press (Dec. 16, 2020), available at, <https://www.freep.com/story/news/politics/elections/2020/12/16/antrim-county-report-debunked-by-former-trump-election-official/3923499001/>.

²³ AG, SOS: *Plaintiff’s Report in Antrim County Election Lawsuit Demonstrates Lack of Credible Evidence in Widespread Fraud or Wrongdoing*, Michigan Dep’t of Attorney General (Dec. 14, 2020), available at, https://www.michigan.gov/ag/0,4534,7-359-92297_47203-547422-,00.html.

²⁴ Craig Mauger, *Michigan election officials slam report on votes in Antrim County*, The Detroit News (Dec. 14, 2020), available at, <https://www.detroitnews.com/story/news/politics/2020/12/14/michigan-judge-allows-release-report-antrim-county-voting/6537394002/>.

²⁵ See Michael Corkery, *Overstock C.E.O. Takes Aim at ‘Deep State’ After Romance With Russian Agent*, N.Y. Times (Aug. 15, 2019), available at, <https://www.nytimes.com/2019/08/15/business/overstock-paul-byrne-maria-butina-affair.html>.

backtrack” on) claiming he was a “military intelligence expert” even though he has never worked in military intelligence.²⁶

But since Merritt had been discredited, Powell has put his declaration forward as though it were written by someone else. Indeed, the only difference between the “new” declaration and Merritt’s declaration is the information about the declarant’s background; the rest of the declaration is substantively *identical* to Merritt’s.²⁷

4. **Terpsichore Maras-Lindemann.** Powell submitted Maras-Lindeman’s affidavit in court filings as evidence without even bothering to speak to her, whether to assess her credibility or otherwise.²⁸ According to a publicly available court order, Terpsichore Maras-Lindeman is a serial liar and con artist.²⁹ After serving in the Navy for less than a year, Maras-Lindeman created a profile on an online veterans community called “Together We Served,” and she falsely claimed to have had an extensive military career—including that she had reached the rank of lieutenant, served in the Office of Naval Intelligence and in combat zones in the Republic of Kosovo, Afghanistan, and Iraq, and was awarded multiple medals including a Purple Heart.³⁰ In a recent fraud case, attorneys for the state of North Dakota said that Maras-Lindeman falsely claimed to be a doctor. They also said she used multiple aliases and social security numbers and created exaggerated online resumes as part of what they called “a persistent effort ... to deceive others.”³¹ They alleged that Maras-Lindeman organized a charitable event to raise funds for homeless shelters, a Catholic school, and a monument, but then used money she collected on purchases for herself at Wal-Mart, McDonald’s, QVC, and elsewhere.³² A judge ordered Maras-Lindeman to pay more than \$25,000 after finding

²⁶ Emma Brown, Aaron C. Davis & Alice Crites, *Sidney Powell’s secret ‘military intelligence expert,’ key to fraud claims in election lawsuits, never worked in military intelligence*, Wash. Post (Dec. 11, 2020), available at, https://www.washingtonpost.com/investigations/sidney-powell-spider-spyder-witness/2020/12/11/0cd567e6-3b2a-11eb-98c4-25dc9f4987e8_story.html

²⁷ Compare Complaint at Ex. 7, *Pearson v. Kemp*, No. 12-cv-04809 (N.D. Ga. Nov. 25, 2020) [Dkt. 1-9], available at, https://defendingtherepublic.org/?page_id=986 with *Defending the Republic, Foreign Ties Affidavit*, (Dec. 16, 2020), available at, https://defendingtherepublic.org/wp-content/uploads/2020/12/foreign_ties_affidavit.pdf.

²⁸ “Maras-Lindeman told The Post she had never spoken directly to Powell or anyone working on her legal team. She said she distributed the affidavit widely to like-minded people and was unaware it had come to Powell’s attention until it appeared as an exhibit in one of her cases.” Jon Swaine, *Powell’s secret intelligence contractor witness is a pro-Trump podcaster*, Wash. Post (Dec. 24, 2020), available at, https://www.washingtonpost.com/investigations/sidney-powells-secret-intelligence-contractor-witness-is-a-pro-trump-podcaster/2020/12/24/d5a1ab9e-4403-11eb-a277-49a6d1f9dff1_story.html.

²⁹ Findings of Fact, Conclusions of Law, and Order for Judgment, *State v. Maras*, No. 51-2018-CV-01339 (Dist. Ct. N. Central Jud. Dist., N.D. Sept. 11, 2020), available at, <https://attorneygeneral.nd.gov/sites/ag/files/documents/RecentActions/2020-09-14-MagicCityChristmasJudgment.pdf>; see also Jon Swaine, *Powell’s secret intelligence contractor witness is a pro-Trump podcaster*, Wash. Post (Dec. 24, 2020), available at, https://www.washingtonpost.com/investigations/sidney-powells-secret-intelligence-contractor-witness-is-a-pro-trump-podcaster/2020/12/24/d5a1ab9e-4403-11eb-a277-49a6d1f9dff1_story.html.

³⁰ LT Terpsichore Lindeman, *Together We Served*, (Mar. 5, 2020), available at <https://web.archive.org/web/20200305152810/https%3A/navy.togetherweserved.com/usn/servlet/tws.webapp.WebApp?cmd=SBVTimeLine&type=Person&ID=506419>.

³¹ *State v. Maras*, No. 51-2018-CV-01339 (Dist. Ct. N. Central Jud. Dist., N.D. Jul. 2, 2018).

³² *Id.*

that she violated consumer protection laws by mispending money she raised and soliciting donations while misrepresenting her experience and education.³³

5. **Edward Solomon.** Edward Solomon paints himself as an expert “mathematician” whose statistical “analysis” determined that the results of the November 2020 election were “impossible,” and that therefore “computer software must have used an algorithm to change the votes.” He also concluded that the odds of the election results occurring naturally were “1 over 10 to an exponent so large there’s not enough stars in the universe, there aren’t enough atoms in the universe, to explain the number.” Here’s the problem: Solomon is not a “mathematician.” Solomon is currently employed as an “Installer” at a swing set construction company. And he recently served six months in jail for selling drugs.
6. **Jovan Pulitzer.** Jovan Pulitzer is not the “QR code inventor” he purports to be, but a “failed treasure hunter” and “failed investor.”³⁴ QR code was invented by Masahiro Hara in 1994, when he was an employee of the automotive components firm Denso Wave. As explained by Georgia’s Republican Secretary of State Brad Raffensperger: “the treasure hunter provided no evidence” to support his claims. And Poll Pad creator KnowInk issued the following response to Pulitzer’s tale about hacking their product: “The assertions made about unauthorized access to our systems are patently false. The man claiming that someone ‘got into’ our systems did not happen according to our forensic analysis. There was no ‘hack,’ there was no ‘back door’ entry, there was no ‘pump and dump,’ and there was no access through a ‘thermostat’ located hundreds of miles away in Savannah.”³⁵
7. **Dennis Montgomery.** Dennis Montgomery is a fraudster known for pulling off “one of the most elaborate and dangerous hoaxes in American history” after he tricked the federal government into paying millions of dollars for bogus terrorist-detection software.³⁶ In 2009 he was charged with obtaining money under false pretenses and theft after failing to repay Caesars Palace for nine checks totaling \$1 million.³⁷ Setting that issue aside, Montgomery was “just another [] gambler in the casinos of Reno,” but that all changed when he falsely claimed to have developed software to “decode secret messages” embedded in Osama bin Laden tapes broadcast on Al Jazeera.³⁸ Montgomery has been cited as the creator of the “powerful supercomputer system known as

³³ *Id.*

³⁴ Georgia Secretary of State, *FACT CHECK: GEORGIA SENATE MASQUERADES FAILED TREASURE HUNTER AS HACKER AND ELECTION SECURITY EXPERT*, (Dec. 2020), available at, <https://sos.ga.gov/index.php/elections/fact-check-georgia-senate-masquerades-failed-treasure-hunter-as-hacker-and-election-security-expert>.

³⁵ Knowing Admin, *Georgia Runoff Election Update*, (Dec. 31, 2020), available at, <https://knowink.com/georgia-runoff-election-update/>.

³⁶ Travis Daub, *How a Reno casino con man duped the CIA and pulled one of the ‘most dangerous hoaxes’ in American history*, PBS News (Oct. 14, 2014), available at <https://www.pbs.org/newshour/nation/reno-casino-conman-pulled-greatest-hoax-american-history>.

³⁷ Tiffany Gibson, *Court date set for man with \$1 million gambling debt*, Las Vegas Sun (Oct. 9, 2009), available at, <https://lasvegassun.com/news/2009/oct/09/man-who-prompted-gibbons-probe-appear-court-casino/>.

³⁸ Thomas E. Ricks, *Shameful Side of the War on Terror*, New York Times (Oct. 12, 2014), available at, <https://www.nytimes.com/2014/10/13/arts/in-pay-any-price-james-risen-examines-the-war-on-terror.html>.

THE HAMMER” and related software called “SCORECARD that is capable of hacking into elections and stealing the vote.”³⁹ When Montgomery was asked under oath whether his software was a “complete fraud,” he answered, “I’m going to assert my right under the Fifth Amendment.”⁴⁰ Authorities have described his “fantastic-sounding computer technology” as nothing more than a hoax after an intelligence commission concluded Montgomery’s “technology was a fabrication.”⁴¹ Even Montgomery’s co-workers told the FBI that he “repeatedly doctored test results at presentations for government officials,” and other co-workers “doubted Montgomery’s software existed.”⁴² And witness interviews from U.S. Military investigations state “Montgomery’s programming skills were not what he alleged,” that “Montgomery was doing something other than what he was actually telling people he was doing,” and that “Montgomery had not written significant software.” Other witnesses said that “Montgomery was dishonest” and shared “suspicions that Montgomery was less technically competent than he led people to believe.” A few years ago, Montgomery sued a journalist for accusing him of being a con man and for exposing some of his scams. But the court threw out the suit because Montgomery failed to prove that his software even existed, much less worked. In its dismissal order, the court explained, “This lawsuit . . . has been defined by the software’s persistent absence.”⁴³

8. **Sidney Powell & Lin Wood**. The complaint we previously sent you explains in detail why Powell and Lin Wood are unreliable sources of information about Dominion. Without limitation, they misrepresented, manufactured, and cherry-picked evidence, and deliberately lied about having recordings and other proof that they never produced because it does not exist.
9. **Rudy Giuliani**. The enclosed complaint explains in detail why Rudy Giuliani is not a reliable source. In addition, the New York State Bar Association has described his claims as “baseless,” and it admonished him for “commenc[ing] and prosecut[ing] [] court actions in multiple states without any evidentiary basis whatsoever.”

But you don’t have to take our word about the unreliable nature of these “experts.” The United States District Court for the District of Arizona found this very same evidence impressive only for its volume and described the same conclusions you are promoting as “largely based on anonymous witnesses, hearsay, and irrelevant analysis of unrelated elections,” and include “expert reports” that “reach implausible conclusions, often because they are derived from wholly unreliable

³⁹ Mary Fanning and Alan Jones, *Biden Using SCORECARD and THE HAMMER to Steal Another U.S. Presidential Election—Just Like Obama and Biden Did in 2012*, The American Report (Oct. 31, 2020), available at https://theamericanreport.org/2020/10/31/biden-using-scorecard-and-the-hammer-to-steal-another-u-s-presidential-election-just-like-obama-and-biden-did-in-2012/?utm_source=ground.news&utm_medium=referral.

⁴⁰ Eric Lichtblau & James Risen, *Hiding Details of Dubious Deal, U.S. Invokes National Security*, N.Y. Times (Feb. 19, 2011), available at, <https://www.nytimes.com/2011/02/20/us/politics/20data.html>.

⁴¹ Eric Lichtblau, *US regretting dubious deal with computer programmer Is now suspected of selling phony antiterror software*, New York Times (Feb. 20, 2011), available at, http://archive.boston.com/news/nation/articles/2011/02/20/us_regretting_dubious_deal_with_computer_programmer/.

⁴² Eric Lichtblau & James Risen, *U.S. tech contractor seen as con man by some*, Statesman (Feb. 20, 2011), available at, <https://www.statesman.com/article/20110220/NEWS/302209742>.

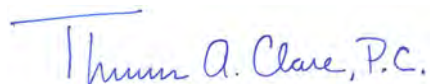
⁴³ Op. at 2, *Montgomery v. Risen*, No. 16-7096 (D.C. Cir. 2017).

sources.”⁴⁴ The United States District Court for the Eastern District of Michigan reached the same conclusion after it reviewed affidavits submitted by many of the characters listed above. That court described the submissions as “nothing but speculation and conjecture that votes for President Trump were destroyed, discarded or switched to votes for Vice President Biden.”⁴⁵

Given the chorus of pretenders who have proven their willingness to manufacture fake evidence and to lie about Dominion, you are well aware that there is serious reason to doubt the credibility of the “evidence” you are planning to broadcast in your “documentary.” If you were actually interested in the truth, you would tell us who you will be featuring in your “documentary” and give us a reasonable opportunity to review their purported “evidence” *before* you publish, so that we can point out the red flags and other obvious errors that have plagued all of the other purported “evidence” that has been put forward against Dominion.

We have no doubt that you will purposefully avoid this opportunity because you are not actually interested in the truth and—as you told CBS News—you want Dominion to sue you.⁴⁶ After all, positioning yourself as Dominion’s enemy and a victim of “cancel culture” has been very good for My Pillow, Inc.’s bottom line.

Regards,



Thomas. A. Clare, P.C.



Megan L. Meier

⁴⁴ Order at 24-25, *Bouyer v. Ducey*, No. 2-20-cv-02321 (D. Ariz. Dec. 9, 2020) [Dkt. 84].

⁴⁵ Op. & Order Den. Pl.’s Emer. Motion. for Decl., Emer., and Inj. Relief at 34, *King v. Whitmer*, No. 20-cv-12134 (E.D. Mich. Dec. 7, 2020) [Dkt. 62].

⁴⁶ Brian Dakss, “My Pillow guy” Mike Lindell says he’d welcome suit from voting machines maker Dominion, CBS News (Jan. 19, 2021), available at, <https://www.cbsnews.com/news/mike-lindell-dominion-lawsuit-mypillow-ceo/>.